



**GRAND FORKS COUNTY  
EMPLOYEE POLICY AND PROCEDURE MANUAL**

**ISSUE DATE: September 19, 2007**

## **TABLE OF CONTENTS**

### **Page No.**

Welcome.....	5
Introductory Statement .....	6
Employee Acknowledgement Form.....	7
Definitions.....	8
Departments .....	9
101 Nature of Employment .....	9
102 Employee Relations.....	10
103 Equal Employment Opportunity.....	10
103.1 Equal Employment Opportunity Hiring Procedure.....	11
103.2 Inter-Transferring Between Social Services and County Positions .....	12
103.3 Transfers From County or State Positions .....	12
104 Hiring of Relatives .....	12
105 Immigration Law Compliance.....	13
106 Conflicts of Interest.....	14
107 Legislative Lobbying .....	15
108 Outside Employment .....	15
201 Employment Categories .....	16
202 Classification Procedure.....	17
203 Compensation Procedure .....	18
204 Access to Personnel Files .....	20
205 Personnel Data Changes.....	21
206 Introductory Period .....	21
207 Employment Applications.....	22
208 Performance Evaluation.....	22
301 Employee Benefits.....	23
302 Fitness Policy for Grand Forks County Employees.....	23
302.1 Fitness Testing.....	24
303 Vacation (Annual Leave) Benefits.....	27
304 Donation of Annual Leave .....	28
305 Holidays .....	29
306 Workers' Compensation Insurance .....	30
307 Sick Leave Benefits .....	31
308 Donation of Sick Leave.....	32
309 Bereavement Leave .....	33
310 Jury Duty .....	33

311	Witness Duty.....	34
401	Timekeeping .....	35
401.1	Timekeeping Procedures .....	35
402	Paydays .....	36
403	Employment Termination .....	36
404	Layoffs and Reduction in Force (R.I.F.) .....	37
405	Pay Advances.....	38
406	Administrative Pay Corrections .....	38
407	Pay Deductions .....	39
408	Emergency Operations Compensation.....	39
409	Travel Expense Policy and Procedure .....	40
410	In State Travel Reimbursement.....	40
411	Out of State Travel.....	41
412	Travel Advances.....	42
413	Use of Personal Vehicle in Lieu of County Provided Transportation.....	42
501	Safety .....	43
502	Safety Procedures.....	43
503	Risk Management Program .....	45
504	Work Schedules.....	45
505	Personal Use of Phone, Fax and Mail Systems .....	46
506	Smoking .....	46
507	Rest and Meal Periods .....	46
508	Overtime .....	47
508.1	Overtime Procedures .....	47
509	Use of Equipment and Vehicles .....	49
510	Motor Vehicle Accident Review Committee.....	50
601	Family Medical Leave Act (FMLA) .....	51
602	Leave of Absence without Pay .....	56
603	Military Leave .....	57
604	Maternity-Related Absences .....	57
605	Employees with Life-Threatening Illnesses .....	57
701	Employee Conduct and Work Rules .....	58
	Orientation.....	58
	Dress Code/Appearance .....	58
	Inclement Weather.....	58
	Rules of Conduct.....	59
701.1	Employee Internet Usage Policy .....	61
701.2	Employee E-Mail Usage Policy .....	62

<b>701.3</b>	<b>Policy for Purchasing Personal Computer Software .....</b>	<b>64</b>
<b>701.4</b>	<b>Lap Top Computers for Issue to Key Personnel.....</b>	<b>64</b>
<b>702</b>	<b>Drug and Alcohol Use.....</b>	<b>65</b>
<b>702.1</b>	<b>Drug-Free Workplace Compliance Policy .....</b>	<b>65</b>
<b>702.2</b>	<b>Drug Testing Policy.....</b>	<b>66</b>
<b>703</b>	<b>Sexual and Other Forms of Impermissible Harassment .....</b>	<b>70</b>
<b>704</b>	<b>Attendance and Punctuality .....</b>	<b>71</b>
<b>705</b>	<b>Employee Identification Cards .....</b>	<b>71</b>
<b>706</b>	<b>Return of Property .....</b>	<b>72</b>
<b>707</b>	<b>Resignation .....</b>	<b>73</b>
<b>708</b>	<b>Credit Card Policy and Procedures .....</b>	<b>73</b>
<b>709</b>	<b>Fraud Prevention and Investigation Policy .....</b>	<b>74</b>
<b>710</b>	<b>Solicitation for Signatures on County Property.....</b>	<b>76</b>
<b>800</b>	<b>Disciplinary Actions for Non-Department Managers.....</b>	<b>77</b>
<b>801</b>	<b>Pre-Determination Process for Non-Department Managers .....</b>	<b>77</b>
<b>802</b>	<b>Pre-Determination Hearing .....</b>	<b>78</b>
<b>803</b>	<b>Disciplinary Actions for Department Managers .....</b>	<b>79</b>
<b>804</b>	<b>Grievance Procedures.....</b>	<b>80</b>
<b>804.1</b>	<b>Merit System Employee Grievance Procedure.....</b>	<b>82</b>

## **Welcome**

**On behalf of your colleagues, we welcome you to employment with Grand Forks County and wish you every success here. We believe that each employee contributes directly to Grand Forks County's growth and success, and we hope you will take pride in being a member of our team.**

**This handbook was developed to describe some of the expectations of our employees and to outline the policies, procedures, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with Grand Forks County.**

**We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!**

**Sincerely,**

**Grand Forks County Commission**



**Left to Right: John Schmisek, Cynthia Pic, William “Spud” Murphy, Diane Knauf and Gary Malm**

## **INTRODUCTORY STATEMENT**

**Citizens of Grand Forks County elect the Board of County Commissioners, the Sheriff and States Attorney. The Board of County Commissioners hires the non-elected department managers, while with the approval of the Commission or their established guidelines, non-elected department managers interview and hire employees for their work departments.**

**Employees are accountable to their designated supervisor, department manager and ultimately the Board of County Commissioners. Department managers are responsible for day-to-day activities within their work centers. Department managers either report to the Director of Administration or the Board of County Commissioners. The Commissioners and other elected officials are directly accountable to the citizens of Grand Forks County.**

**This handbook is designed to acquaint you with Grand Forks County and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the employer to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.**

**No employee handbook can anticipate every circumstance or question about policy. As the County continues to grow, the need may arise to change policies described in the handbook. The Commissioners therefore reserve the right to revise, vary, change, supplement, or rescind any policies or portion of the handbook from time-to-time as they deem appropriate, in their sole and absolute discretion.**

**\*\*\*\*\*PLEASE NOTE\*\*\*\*\***

**THIS POLICY AND PROCEDURE MANUAL HAS BEEN DRAFTED AS A  
GUIDELINE FOR ALL COUNTY EMPLOYEES. THESE PERSONNEL POLICIES DO  
NOT FORM AN EXPRESS OR IMPLIED CONTRACT FOR EMPLOYMENT;  
RATHER, THEY DESCRIBE THE COMMISSIONERS' GENERAL POLICIES AND  
PROCEDURES.**

**\*\*\*\*\***

**GRAND FORKS COUNTY SOCIAL SERVICES IS GOVERNED BY ND  
DEPARTMENT OF HUMAN SERVICES POLICIES AND THEREFORE MAY HAVE  
POLICIES LISTED IN THIS MANUAL THAT AFFECT ONLY THAT DEPARTMENT.  
.....**

## **EMPLOYEE ACKNOWLEDGMENT FORM**

**I understand that this employee handbook describes important information about Grand Forks County and that I should consult my supervisor regarding any questions not answered in the handbook. Since provisions of the handbook are subject to change, I further understand that revisions to the handbook may supersede or eliminate one or more existing policies.**

**I acknowledge that this handbook is not a contract of employment. I have received, read, understood, and will comply with both the policies contained in this handbook and any subsequent revisions.**

**I further acknowledge that acquainting myself with the procedures and work rules within my department is my responsibility and that this information is available from my department manager or supervisor.**

**I acknowledge that I may access the Employment Manual of Grand Forks County on-line through the County of Grand Forks web site at [www.gfcountry.nd.gov](http://www.gfcountry.nd.gov).**

\_\_\_\_\_  
**EMPLOYEE'S SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**EMPLOYEE'S NAME (TYPED OR PRINTED)**

## **DEFINITIONS**

**Periodically throughout this Policy Manual, you will find words or terms defined with relation to their usage or intent, i.e. the definition of “employee” is found in Policy No. 201.**

**The following terms may be found later in the text and are defined here for your convenience and reference:**

**NDCC:           North Dakota Century Code**

**FMLA:           Family and Medical Leave Act of 1993 (and any subsequent revisions)**

**DFWPA:        Drug Free Workplace Act of 1991**

**PROMOTION: The assignment of an employee to a position requiring greater authority, responsibility, skill, knowledge or ability.**

**DEMOTION: The assignment of an employee to a position requiring less authority, responsibility, skill, knowledge or ability.**

**SUSPENSION: A temporary involuntary leave of absence with or without pay.**

**VETERAN: Any person who has served in the Armed Forces of the United States, in accordance with the NDCC 37-01-40.**



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**DEPARTMENTS:** (The following are the Departments currently recognized within Grand Forks County Government):

<b>Administrative Services</b>	<b>Building Maintenance</b>
<b>Commissioners</b>	<b>Correctional Center</b>
<b>NDSU Extension</b>	<b>County Highway</b>
<b>Emergency Management</b>	<b>Finance and Tax</b>
<b>Information Systems</b>	<b>Juvenile Detention</b>
<b>Planning &amp; Zoning</b>	<b>Public Administrator</b>
<b>Sheriff</b>	<b>Social Services</b>
<b>States Attorney</b>	<b>Superintendent of Schools</b>
<b>Veteran's Service Office</b>	

## **101 NATURE OF EMPLOYMENT**

This handbook is designed to acquaint you with Grand Forks County and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the employer to benefit employees.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an express or implied contract for employment and is not intended to create contractual obligations of any kind. Grand Forks County recognizes its employees as limited “for cause” employees, as opposed to purely “at will” employees.

In order to retain necessary flexibility in the administration of policies and procedures, the Commissioners reserve the right to change, revise or eliminate any of the policies and benefits described in this handbook, without advance notice.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

### **102 EMPLOYEE RELATIONS**

The work conditions, wages and benefits offered to Grand Forks County employees are highly competitive with those offered by other employers in this area and in this industry. If employees have any concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors. Employees are asked to first direct their concerns to their supervisor, but if the concern remains, it may be brought to the Director of Administration, the Grand Forks County Employees Association Representative, the Board of County Commissioners or a combination thereof.

Our experience has shown that when employees deal directly with supervisors and/or a Grand Forks County Employees Association Representative, a better work environment exists, communications are clear and attitudes are positive. Grand Forks County has amply demonstrated its commitment to responding effectively to all employee concerns.

### **103 EQUAL EMPLOYMENT OPPORTUNITY**

Grand Forks County is an equal opportunity employer. It is the policy of Grand Forks County to recruit, hire, train and promote employees without discrimination because of race, color, religion, sex, age, creed, status as a Vietnam Era veteran or special disabled veteran, status of marriage or public assistance, national origin or physical or mental handicap except where specific age, sex or physical requirements are a bona fide occupational qualification. Grand Forks County abides by all federal and state laws pertaining to employees and their employment to which Grand Forks County is subject.

**Veteran's Preference:** Qualified veterans shall have preference for employment with Grand Forks County as set forth in Chapter 37-19.1 of the North Dakota Century Code.

Additionally, from time to time, this County enjoys the status of a Federal Contracting Agency and will abide by all policies, regulations, and laws associated with such a status.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

### **103.1 EQUAL EMPLOYMENT OPPORTUNITY HIRING PROCEDURE**

The following steps are required as a part of the hiring process:

- 1. Department Managers shall notify the Director of Administration and the Commission of the vacancy.**
- 2. The Director of Administration will circulate the notice to each Department Manager who will post the notice for their employees to review as possible internal applicants.**
- 3. Interested employees will have three (3) working days to apply by submitting the Standard County Application for Employment Form or resume to the Department Manager who will review the application or resume. If the department feels the internal applicant(s) are qualified, they will establish a time and date to interview the applicant.**
- 4. If County employees do not apply or there are insufficient qualified County employee applicants, the Department Manager will notify the Director of Administration, who in turn will notify Job Service of the vacancy. Job Service will do a computer search for eligible employees and if there are insufficient qualified applicants, the Director of Administration will list the position in the official County newspaper.**
- 5. Applicants shall complete the standard County Application for Employment Form and submit it to Job Service. Job Service will compile the applications and forward the forms to the Director of Administration. The Director of Administration will forward these applications to the Department Manager for consideration.**
- 6. The Department Manager will select an appropriate applicant, and notify the Department of Finance and Tax and the Director of Administration of the selected applicant's name.**
- 7. The Director of Finance and Tax will provide the name for each Commissioner's review at the next meeting.**
- 8. For internal hires - losing and gaining Department Managers will arrange for a transfer date between offices. It would be appropriate to provide a two-week notice to the losing Department Manager, so internal/external posting can be accomplished.**

**Please note the following:**

- 1. Grand Forks County is an E.E.O.C. employer and complies with all state and federal laws related to hiring practices, including state and federal Veteran's preferences.**

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

- 2. Grand Forks County is bound to adhere to NDCC 11-10-25 pertaining to nepotism.**
- 3. It is desirable for the applicant to reside in Grand Forks County.**
- 4. Any County employee will be considered as an internal applicant, regardless of employment status. This does not include elected officials. Pursuant to NDCC 34-11.1, the Public Employees Relations Act, elected officials do not qualify as “employees” for purposes of this manual.**
- 5. Department managers are not bound to hire an internal applicant. It is the discretion of the department manager to seek external applicants, if the department manager feels that internal applicants may not be qualified or may not meet the needs of their department.**
- 6. Social Services’ hiring policies must adhere to ND DHS merit system policies and may differ from the policies stated above.**

### **103.2 INTER-TRANSFERRING BETWEEN SOCIAL SERVICES AND COUNTY POSITIONS**

**Employees may apply and transfer between Social Services and County Offices. Although employees of both agencies are considered County employees, Social Services must hire under the state merit system. Although hiring criteria may be different, an employee who transfers to another agency within the County will be allowed to transfer all vacation time and sick leave accrued at their previous position. The original date of hire will remain as the service date for purposes of benefit computation and anniversary increases. In addition the PERS retirement account and health insurance will continue without interruption.**

### **103.3 TRANSFERRING BETWEEN COUNTIES OR STATE POSITIONS**

**Grand Forks County will not accept any annual leave or sick leave that a new employee accrued when employed by another county or state department. The annual leave accrual rate may be negotiable at the time of hire.**

## **104 HIRING OF RELATIVES**

**It is well accepted that employment of relatives in the same area of an organization can cause serious conflicts and problems with bias, favoritism and employee morale. Under these**

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

circumstances, all parties, including supervisors, leave themselves open to charges of bias and inequitable consideration in decisions concerning work assignments, transfer opportunities, time off privileges, training and development opportunities, performance evaluations, promotions, demotions, disciplinary actions, and discharge. In addition to claims of partiality in treatment at work, personal conflicts outside the work environment can be carried into day-to-day working relationships.

North Dakota Century Code Chapter 11-10-25 on Nepotism includes Counties by providing that no County Department Manager, whether elected or non-elected, can hire their spouse, son, daughter, brother or sister to any position under their control without prior approval of the County Commissioners.

It is the County's policy that relatives of persons currently employed by the County may be hired only if they will not be working directly for a supervising relative and their hiring was approved by the County Commissioners.

If already employed, they cannot be transferred into such a reporting relationship. If the relative relationship is established after employment, the individuals concerned may recommend who is to be transferred. If that recommendation is not made within 30 days, the Commissioners, in consultation with the appropriate department manager and the Director of Administration will make the decision.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

### **105 IMMIGRATION LAW COMPLIANCE**

Grand Forks County is committed to employing only United States citizens and aliens who are authorized to work in the United States and complies with the Immigration Reform and Control Act of 1986. As a condition of employment, all employees hired and employed after January 1, 1986, must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9. Grand Forks County will make a copy of the proper documentation presented by the employee to be attached to the I-9. Before commencing work, newly rehired employees must also complete the form if they have not previously filed an I-9 with this organization, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid. The I-9 will be completed in the Department of Finance and Tax Office during payroll in-processing.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **106 CONFLICTS OF INTEREST**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest, specifically those noted in the North Dakota Century Code. This policy establishes only the framework within which the County wishes its business to be conducted. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the County Commissioners. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific Commissioner-level approval.

No presumption of a conflict is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she discloses to the County Board of Commissioners as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of this County's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that which is characterized as a "significant other".

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which this County does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.

The materials, products, designs, plans, ideas, and data of this organization are the property of Grand Forks County and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible discharge and legal action.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

When requests for information, other than matters of public record, are made of County employees, the Department Head or their designee shall state the County's position. This provision shall not restrict the rights of the individual employee to comment on any public matter in his or her capacity as a private citizen. Employees are reminded that, "no public employee may engage in political activities while on duty or in uniform," per the North Dakota Century Code 44-08-19.

### **107 LEGISLATIVE LOBBYING**

Any employee, other than an elected official, who is involved in lobbying the State Legislature, shall use a form of paid or unpaid leave for such activities. All such lobbying must be done in such a way that it is clear to all parties involved that the employee is acting not on behalf of the County, but instead on their own behalf. An employee in violation of this policy will be subject to discipline and/or termination.

### **108 OUTSIDE EMPLOYMENT**

An employee may hold a job with another organization as long as he or she discloses that situation to their supervisor and satisfactorily performs his or her job responsibilities with Grand Forks County. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by performance standards and will be subject to the County's scheduling demands, regardless of any existing outside work requirements.

If the department manager or the Commission determine that an employee's outside work interferes with performance or the ability to meet the requirements of their job description, as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain employed with Grand Forks County.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain other than compensation paid by the County for materials produced or services rendered while performing their jobs or from the use of County owned facilities, uniforms, materials, equipment, or tools used while off duty.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **201 EMPLOYMENT CATEGORIES**

It is the intent of Grand Forks County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. Each employee is designated as either **NONEXEMPT** or **EXEMPT** from the federal and state wage and hour laws.

**ELECTED OFFICIALS** are not subject to the Fair Labor Standards Act but are eligible for retirement and medical benefits. However, under NDCC 34-11.1-01, elected officials do not meet the definition of a county employee and are not eligible for internal hire consideration.

**APPOINTED EMPLOYEES:** Sheriff's Deputies and Assistant States Attorneys are appointed and serve at the pleasure of the elected official.

**NONEXEMPT** employees are subject to federal and state wage and hour laws, including but not limited to, to overtime pay under the specific provisions of federal and state laws.

**EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws.

In addition to the above categories, each employee will belong to one other employment category:

**PERMANENT FULL-TIME:** Employees who are not in a temporary or introductory status and are regularly scheduled to work the organization's full-time schedule. Generally, they are eligible for the employer's full benefit package, subject to the terms, conditions, and limitations of each benefit program.

**PERMANENT PART-TIME:** Benefitted employees who are not in a temporary or introductory status and who are regularly scheduled to work less than the full-time work schedule but at least 20 hours per week for a minimum of five months. Regular part-time employees are eligible for a portion of the employer's benefit package subject to the terms, conditions, and limitations of each benefit program.

**PERMANENT PART-TIME:** Non-benefitted employees who are not in a temporary or introductory status and who are regularly scheduled to work less than 20 hours per week. While they do receive all legally mandated benefits (such as workers' compensation and Social Security benefits), they are ineligible for any of the employer's other benefit programs.



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**INTRODUCTORY:** Employees who are being evaluated to determine whether further employment in a specific position or with the organization is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. An introductory employee enjoys the same status as a probationary employee.

**PROBATIONARY:** Used to evaluate a non-introductory employee. Failure to satisfactorily complete the probationary period may result in termination of employment. A probationary employee enjoys the same status as an introductory employee.

**NOTE:** Introductory and Probationary Employees are “at will”.

**TEMPORARY:** Employees hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. "Temporary" employees retain that status until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of the employer's other benefit programs.

**CASUAL/SEASONAL:** Employees who have established an employment relationship with the organization but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of the employer's other benefit programs.

## **202 CLASSIFICATION (revised 3/6/07)**

1. All employment positions with Grand Forks County Government have job descriptions developed by a consulting firm in cooperation with the employees, and the Department Managers. These job descriptions are grouped into classifications.

2. All classifications are assigned to pay grades, which identify the placement of all jobs, within that classification, on the pay matrix. The job descriptions and classifications are developed in accordance with the plan adopted by the Grand Forks County Commission on January 1, 2004.

3. To keep the pay grade levels current, the Commission hires a consultant to review the salary trends and to make recommendations. By direction of the Commission, the pay schedule will be periodically reviewed by the Personnel Consultant. The Commission may accept or reject all or part of the recommendations consistent with the general fiscal condition of the County. The Commission will make every effort to review the pay schedule every three years.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

For consistency, the review will be accomplished in even-numbered years.

4. Job reclassification requests may be initiated by the Commission, the Department Manager, or the employee. Requests for classification reviews must be submitted, in writing, to the Director of Administration no later than September 1st of each year, unless otherwise specified. Department Managers shall be ready and willing to identify significant changes in the job responsibilities and duties that would support reclassification of the position(s). Department Managers should review all job descriptions annually for any potential changes of responsibility.

5. Department Managers must review each request and state if they concur or non-concur with the request for reclassification.

6. Social Services position classifications must comply with NDCC 54-44.3-12(9) as administered by the ND Human Resource Management Services Department. All reclassification requests must be submitted to HRMS for approval.

## **203 COMPENSATION**

1. **Classification Salary Range Assignments:** Grand Forks County has one pay schedule with 19 grades. Each grade has a seven-step salary range. The first six steps reflect a salary increase of approximately 2.5%. The distance between step six and seven is approximately 37%. Step seven is the maximum pay for the grade. Step 1 will usually be entry level; however, employees may be hired up to step 6 for each grade with approval from the proper authority.

**NOTE:** Social Services employee salaries must be within the assigned salary range for the merit system classification for that position, pursuant to NDCC 54-44.3-12(1).

2. **Salary Progression (step increases):** For the first six steps, salary progression shall be based on time-in-grade with advancement to the next step to be effective on the employee's anniversary date. When the employee's pay exceeds step 6, the Commission approves the percentage of increase. The Commission has the right to award pay increases based upon such factors as performance and market pressures to employees as a whole, department, or individual. The anniversary date is the date employment begins. If employment begins prior to the 15<sup>th</sup> day of the month, the effective date shall be the first of the month. If employment begins between the 16<sup>th</sup> and the last day of the month, the effective date shall be the 16<sup>th</sup>.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

3. **Longevity Bonus:** After three (3) continuous years of full-time regular employment (minimum 2,080 hours per year) an employee shall receive a longevity bonus of \$3.00 per month times the number of years worked not to exceed a total of \$540.00 per year. (18 years of service x 12 months x \$3.00). Longevity bonuses are payable, lump sum, in the last pay period in November of each year. To receive payment the employee must be on the active payroll on the date of payment. Employees on leave without pay or inactive status due to military commitments are not eligible for payment.

**NOTE:**

- A. The first three years of employment are not factored into the formula.
- B. Social Service employees who have reached the top of their merit system pay grade are not eligible for longevity bonuses unless ND Human Resource Management Services has approved such a payment.
4. **Promotion to a position at a higher pay-grade:** An employee who is promoted to a position assigned a higher pay-grade will be placed in a step which is approximately a 2.5% salary increase, but not lower than step 2 of the new pay-grade. Progression through the steps of the new pay-grade will be on employment anniversary dates.
5. **Promotion to a new position, at a higher pay-grade:** Creation of new positions, or more positions of an existing classification, will usually be effective January of the year following that in which the position(s) are approved. Positions approved during the fiscal year will be effective upon Commission approval provided the necessary funding is secured. The effective date of promotions to existing positions within the system shall be the date recommended by the Department Manager and approved by the Commission.
6. **Reassignment to a new pay-grade:** When an employee is reclassified to another grade the following criteria applies: The classification will be effective the first day of the month following approval by the Commission. The employee's step in the new grade will be determined setting the pay in the first step that pays a higher wage than the current step. At no time will the new step be less than 2.5%. On the anniversary the employee will receive another step increase if applicable. If the employee's salary falls between step 6 and 7, the Commission will set the increase of pay.
7. **Demotions:** If the demotion is due to discipline or at the request of the employee, the salary may be set, by Commission action, but no lower than step 2 within the new pay-grade.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

- 8. Time Change Compensation:** In the fall when the time change adds one additional hour to the shift, employees who are working will be paid for the additional hour. The additional hour will also count toward the 40-hour workweek for overtime computation purposes. In the spring when the clock is moved ahead one hour, the county will pay for the lost hour that is actually not worked. However, this hour will not count toward the 40-hour workweek for overtime computation purposes.
- 9. Activated Reserve/National Guard Personnel.** Grand Forks County acknowledges the self-sacrifice of our Reserve and National Guard employees who are federally activated for extended periods of time. This policy is effective January 1, 2003. Any Grand Forks County employee federally activated for a period of 180 consecutive days will be provided a payment of \$500.00. The activated employee will be eligible for the payment upon completion of the 180-day period. It will be the responsibility of the employee or department manager to initiate the request for payment to the Director of Administration. If for some unforeseen reason the employee becomes a casualty while in support of the activation, the surviving spouse, or family members will be provided the payment at the time of the military member's death. This policy does not apply to activated personnel who choose to transfer from the Guard or Reserve to the active duty military forces nor will it apply to Guard and Reserve personnel who voluntarily extend their tour of duty. This is a one-time payment and does not apply to additional deployments.

## **204 ACCESS TO PERSONNEL FILES**

Personnel files are the property of Grand Forks County and access to the information is restricted. Generally, only persons on official business and representatives of the County who have a legitimate reason to review information in a file are allowed to do so. With reasonable advance notice, an employee may review material in his or her file but only in the County's Finance and Tax Department and in the presence of the individual designated by the Commission to maintain the file.

With reasonable advance notice, an employee or their authorized representative may obtain copies of the information contained within his or her personnel file, with the understanding that a charge will be made to cover the costs of photocopying.

It is the policy of Grand Forks County to allow an employee to request a review and update his or her personnel file.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **205 PERSONNEL DATA CHANGES**

**It is the employee's responsibility to notify the Director of Finance and Tax or his or her designee of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times.**

**Change of employee information needs to be reflected in the personnel files. Information changes will be annotated on the Personnel Data Change Sheet and forwarded to the Director of Finance and Tax through the department manager. (See Appendix for forms).**

## **206 INTRODUCTORY PERIOD (revised 4/15/08)**

**An employee, excluding elected officials, should use the initial period after being hired or rehired within the County to determine whether the new position meets his or her expectations. Grand Forks County uses this period to evaluate employee capabilities, attitude, and work habits. Either the employee or the County may end the employment relationship at will at any time during the introductory period, with or without cause or advance notice.**

**With the exception of Social Services underfill eligibility workers, Correctional Center and Law Enforcement personnel, all new and rehired employees work on an introductory basis for the first 180 calendar days after their date of hire. In the case of Social Services underfill eligibility workers, Correctional Center and Law Enforcement personnel, the introductory period shall be the first 365 calendar days after the date of hire. If the department manager determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee, the department manager may extend the introductory period for a specified period, not to exceed 90 calendar days. In the event of an extension, the department manager will notify the employee in question and the Director of Administration.**

**Introductory employees will assume "regular" status upon satisfactory completion of the introductory period. During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security; employees may be eligible for any other employer-provided benefits, subject to the terms and conditions of each benefit program. See your supervisor for clarification of these benefit provisions.**

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **207 EMPLOYMENT APPLICATIONS**

**It is the policy of Grand Forks County to receive and retain only those job applications and resumes received as a result of the County's solicitation of the same. The County will not accept nor retain any unsolicited applications or resumes.**

**Grand Forks County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the County's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.**

**The Job Service Standard Application Form is used for most County Positions. Unless the Department has approval to use their own application form, the standard application provided by Job Service will be used for normal applications. Individualized forms must be approved by the Director of Administrative Services. (See Appendix for forms.)**

**Employees applying for merit system classified positions in Social Services must use the State of ND Application for Employment (SFN 10950), available on-line or at any ND Job Service Office.**

## **208 PERFORMANCE EVALUATIONS**

**Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations may be conducted at the end of an employee's initial period in any new position. This period, known as the introductory period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position.**

**Annual evaluations will be written with a closeout date of June 30<sup>th</sup> of every year. The finalized review will be completed by July 15<sup>th</sup>. Each department manager may use a form that suits the unique needs of his or her department. Department managers will either be the reviewer or additional endorser on each of their employee's evaluations. The Director of Administration will review each evaluation for proper content. Reviews for Department Managers will be written by the Personnel Committee with a closeout date of June 30<sup>th</sup> of each year. Additional formal performance reviews may be conducted as needed to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting work-center goals.**

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

### **301 EMPLOYEE BENEFITS**

Eligible employees in Grand Forks County are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in this handbook.

The following benefit programs are available to eligible employees:

- Benefit Conversion at Termination**
- Bereavement Leave**
- Flex-Plan (Sec. 125)**
- Holidays**
- Jury Duty Leave**
- Leave of Absence (without pay)**
- Longevity Pay**
- Maternity Related Leave**
- Medical Insurance**
- Military Leave**
- Personal Leave (Floating Holiday)**
- Retirement Plan**
- Sick Leave**
- Uniform Allowance**
- Vacation Benefits**
- Witness Duty Leave**

The Appendix contains enrollment forms and summary plan documents for insurance plans, flex-plan, retirement plan and leave forms if applicable.

### **302 FITNESS POLICY FOR GRAND FORKS COUNTY EMPLOYEES (revised 11/7/07)**

Grand Forks County encourages fitness for their employees. Employees have the opportunity to join Center Court Fitness and the YMCA at reduced rates. Single rate for fitness center membership

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

may be withheld from the monthly paychecks provided the employee agrees to payroll withholding for a one-year period. Payments for the family plan are paid directly to the fitness center.

Employees may use up to 5 sick leave days per year for exercise. Sick leave may be taken in two separate 30-minute increments per week. The half-hour may be used in conjunction with lunch, start of workday, or end of day. For every hour of fitness participation the county will award one-half-hour of work time to be used for exercise. In order to qualify the employee must exercise at a fitness center and document their attendance on their time card. The fitness center must provide a copy of some form of attendance verification once a month to the County Payroll Department. Time provided by the county is not reimbursable and will be used for the next exercise session once eligibility is established. Employees may use up to two 30-minute sessions per week.

**Sheriff's Office and Correctional Center Employees:** This policy applies to all employees in these departments except support staff. Since law enforcement employees will have a mandatory fitness standard incorporated into their job descriptions. The County will pay for a single membership at Center Court Fitness. If these employees desire a family membership payment of \$10.00 will be made by the employee directly to Center Court Fitness. Non-exempt law enforcement employees may exercise for two 30-minute sessions each week at their standard pay rate. These sessions will be annotated on their time card and will not count towards overtime. In addition these employees may use an additional 30 minutes of sick leave each week for a third session. Verification of attendance must be submitted to our payroll department. Exempt employees have the flexibility to incorporate exercise sessions into their schedule on- and off-duty. Exempt employees will receive no additional compensation. Sometimes, for various reasons, law enforcement employees may request to use another fitness center. These requested exceptions will be approved on a case-by-case basis by the Commission. If approved, the employee will submit a voucher on a quarterly basis with proof of payment to their fitness center. The employee will be reimbursed at the Center Court Fitness rate. Additional costs will be an out-of-pocket expense incurred by the employee.

### **302.1 FITNESS TESTING (revised 11/7/07)**

1. **Goal Statement:** Grand Forks County established a fitness program for all law enforcement employees in order to provide an avenue to a healthy life style, and reduce personal illness and injury for employees who work in a physically demanding and dangerous profession. The goals of this program are to reduce County health insurance costs, reduce injury, enhance esprit de corps, give employees access to a healthy life style, and provide a higher level of service to the tax-paying public.

2. **Law Enforcement Personnel Defined:** This policy applies to all essential law enforcement personnel, including the sheriff, all deputized sheriffs, correctional center management, correctional officers, and juvenile detention center management and officers. Administrative



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

support staffs are not included in the definition of law enforcement staff.

**3. Medical Assessment:** Every March all law enforcement employees will be medically evaluated and screened by Altru Health System medical doctors and technicians. Data will be collected and documented under an employee number unknown to County staff. The medical evaluation will determine if the employee is fit to participate in the annual test. If the medical assessment deems the employee is unfit to participate, clearance must be obtained from the medical authority in order to complete the annual test. Costs for the medical evaluation will be paid for by the County. Employees who do not complete the annual fitness evaluation will not be eligible for any monetary award.

**4. Opportunity to exercise:** Since law enforcement employees will have a fitness standard incorporated into their job descriptions the County will pay for a single membership at Center Court Fitness. If these employees desire a family membership, a reduced payment will be made by the employee directly to Center Court Fitness. Non-exempt law enforcement employees may exercise for two 30-minute sessions each week at their standard pay rate. These sessions will be annotated on their time card and will not count towards overtime. Exempt employees have the flexibility to incorporate exercise sessions into their schedule on- and off-duty. Exempt employees will receive no additional compensation. In addition these employees may use an additional 30 minutes of sick leave each week for a third session. Verification of attendance must be submitted to the County payroll department. Sometimes, for various reasons, law enforcement employees may request to use another fitness center. These requested exceptions will be approved on a case-by-case basis by the Commission. If approved, the employee will submit a voucher on a quarterly basis with proof of payment to their fitness center. The employee will be reimbursed at the Center Court Fitness rate. Additional costs will be an out-of-pocket expense incurred by the employee.

**5. Fitness Standards:** The fitness standards and tests listed below are derived from the Cooper Fitness Institute for law enforcement employees, physical fitness testing section. The referenced standards represent low-end validated municipal cut points. The minimum standards are listed after the test battery and are the satisfactory goal. Annual testing will be performed between September 15<sup>th</sup> and October 15<sup>th</sup>. Employees who meet the standard are entitled to a monetary award with a cumulative potential of \$850.00. Monetary payments will be disbursed within 30 days of the conclusion of the testing period. Employees will be ineligible for any monetary award if unable to test during the 30-day testing period. The only exception to this policy is if job requirements outside the local area prevent the employee's ability to attend the scheduled testing. This must be verified and recommended by the department manager for Commission approval.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

<b><u>Test Battery</u></b>	<b><u>Standard</u></b>	<b><u>Incentive</u></b>
<b>1.5 mile run (min/sec)</b>	<b>16:28</b>	<b>\$250.00</b>
<b>300 meter run (seconds)</b>	<b>00:71</b>	<b>\$150.00</b>
<b>1RM Bench Press (ratio of body weight)</b>	<b>.64</b>	<b>\$ 75.00</b>
<b>Push-ups (number) #2 minutes</b>	<b>25</b>	<b>\$100.00</b>
<b>Sit-ups (number) #1 minute</b>	<b>32</b>	<b><u>\$ 75.00</u></b>
<b>Total Monetary Award</b>		<b>\$650.00</b>

**Note:** As an additional bonus, any employee who runs the 1.5 miles, performs push-ups, and sit-ups and meets the low-end excellence standards by age and gender in all three test batteries, as defined by the U.S. Marshall Service will be entitled to a payment of \$200.00.

**6. Application of Policy to New Hires:** Employees hired after January 1, 2007 must meet these standards and for employees hired after October 1, 2007 maintain these requirements throughout their employment, in all categories, except the additional bonus note, in order to successfully complete the introductory period. The introductory period for law enforcement employees is one year. Introductory employees are not eligible for any monetary award. Failure to complete these introductory requirements will result in termination.

**7. Relationship to Employee Evaluations:** All law enforcement employee evaluations will have a fitness participation category. The category will have satisfactory, unsatisfactory and N/A as choices for the evaluation. Factors that may affect the rating are results of the annual test, overall participation in the program, and attitude. Personnel unable to participate in the annual test due to medical reasons will receive an N/A.

**8. Coordination:** The County Fitness Coordinator will administer the program, including the annual testing portion of the fitness program. The Fitness Coordinator may enlist the aid of other County employees or Center Court Fitness staff in coordinating the testing. Details of scheduling will be communicated to all law enforcement employees in writing reasonably in advance of the scheduled testing.

**9. Educational Opportunities:** The Grand Forks County Commission encourages all employees to take advantage of available educational opportunities to maintain and improve health and fitness. Services available to all county employees from the Grand Forks Public Health office include written materials, various classes on nutrition and other health-related topics, smoking-cessation programs, flu shots, and the annual wellness fair, generally held in October of each year. Services available to law enforcement employees from Center Court Fitness, as part of the

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

County's group contract, include the opportunity for participation in existing classes, the opportunity to suggest special group classes, and individual consultations to get started on an exercise program. (On-going services of a personal trainer would require an additional fee payable directly to Center Court Fitness.)

9. **Program Evaluation:** Each year, the County Commission will receive from Altru Health System a summary report of the employee medical assessments. The report will not identify any employee by name. These reports, together with the results of the annual fitness testing, will allow the County Commission to track the success of the program over time, and to make adjustments to the program. This policy shall be reviewed every five years.

### **303 VACATION (ANNUAL LEAVE) BENEFITS**

The following employee classifications are eligible for vacation benefits according to the guidelines set forth in this policy:

Regular full-time employees

Regular part-time employees (pro-rated to a percentage of full-time)

Following the first six calendar months of employment or the completion of their introductory period, whichever is less, employees will be entitled to take vacation time off as it accrues. Supervisory approval will be required if an employee wishes to use vacation time prior to the completion of their introductory period or six calendar months of employment.

A benefit year is defined as the 12- month period following employment in an eligible category. Vacation time accrues from the date of hire. Employees whose anniversary date occurs in the first half of the month (1-15th) shall earn eight hours of vacation leave for that month. Employees whose anniversary date occurs in the last half of the month (16th-31st) shall earn four hours of vacation leave.

Vacation pay will be calculated based on the employee's straight-time pay rate (in effect when vacation benefits are used) times the number of hours the employee would otherwise have worked on the day(s) of absence. Vacation pay does not include shift differentials, incentive pay, bonuses, or other special forms of compensation. Vacation benefits for salaried employees will be based on their normal wages.

Employees who have satisfied all eligibility requirements may submit vacation requests to their supervisors. Requests will be evaluated based upon various factors, including anticipated operating requirements and staffing considerations during the proposed period of absence.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

Employees are strongly encouraged to take earned vacation during the benefit year it accrues. Employees are allowed to carry over a maximum of 240 hours (30 days) accrued vacation to the next calendar year. If employees exceed 240 hours by December 31, the employee has until January 15<sup>th</sup> of the following year to use enough vacation to reach the 240-hour ceiling. Employees who exceed 240 hours after January 15<sup>th</sup> will lose the excess hours. Upon termination of employment, employees will be paid for vacation benefits that have accrued through the last day of work. Compensation due an employee due to death shall be paid to the personal representative of the estate.

The Eligibility Table below defines when vacation benefits become available to full-time regular employees.

**Vacation Benefits Eligibility Table**

<b>Length of Service Accrual Rate</b>	<b>Days Per Month</b>	<b>Days Per Year</b>
<b>0 through 3 years</b>	<b>1 (8 hours)</b>	<b>12</b>
<b>4 through 7 years</b>	<b>1.25 (10 hours)</b>	<b>15</b>
<b>8 thru 12 years</b>	<b>1.5 (12 hours)</b>	<b>18</b>
<b>13 thru 18 yrs</b>	<b>1.75 (14 hours)</b>	<b>21</b>
<b>Over 18 years</b>	<b>2 (16 hours)</b>	<b>24</b>

### **304 DONATION OF ANNUAL LEAVE**

An eligible county employee may donate annual leave to another county employee who is suffering from, or has a relative or household member suffering from a severe illness, injury, or impairment of condition that has caused or is likely to cause the employee to take leave without pay or terminate employment. “Severe” means serious, extreme or life threatening. The employee shall obtain a certificate from the health care provider setting forth the nature of the illness, injury, condition or predicament.

The receiving employee must have used up all forms of paid leave prior to using donated annual leave. The employee’s use of donated leave, both annual and sick, may not exceed 320 hours in any twelve-month period. Once leave is donated, it is not returnable. Leave will be donated on an hour-to-hour basis.

The donating employee may donate up to five per cent (5%) of the donating employee’s accumulated annual leave, but in all instances, the donating employee must maintain an accumulated balance of forty hours of annual leave.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

Approval for donating and receiving annual leave shall be determined by the Department Manager and the Director of Administration upon recommendation of the employee's supervisor. Forms are available from the Director of Administration, the payroll manager, or see the Appendix.

**Definitions for Annual Leave Donation:**

“Household member” means those relatives who reside in the same home. This term includes foster children and legal wards even if they do not live in the household. Relatives are limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of an employee. Exceptions will require Commission approval.

### **305 HOLIDAYS**

Grand Forks County will grant holiday time off to all employees on the holidays listed below.

- New Year's Day (January 1)
- Martin Luther King Jr. Day (third Monday in January)
- Presidents Day
- Good Friday
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veteran's Day (November 11<sup>th</sup>)
- Thanksgiving (fourth Thursday in November)
- Friday after Thanksgiving, effective 2005
- Christmas Eve
  - *Unless that day is a weekend or holiday pursuant to Section 1-03-02.1 of the North Dakota Century Code.*
  - *If Dec. 24 falls on a Monday through Thursday, county offices are closed all day.*
- Christmas (December 25)
- Any other day designated by the County Commissioners.

A recognized holiday which falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. (In accordance with provisions of the North Dakota Century Code.)

According to applicable restrictions, the County will grant paid holiday time off to all eligible

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

employees immediately. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day, to a maximum of eight hours. Eligible employee classification(s):

Regular full-time employees  
Regular part-time employees  
Introductory employees

**Personal Leave Days:** Eligible employees, with a minimum of one year of service, will receive two (2) floating holidays (personal leave days) each calendar year. These holidays must be scheduled with prior approval of the employee's supervisor. Days not used by the end of the calendar year are forfeited.

If an eligible employee works on a recognized holiday, they will receive wages at the straight time base pay rate for the hours worked on the holiday or receive another day off with pay upon approval of their supervisor. If the supervisor is unable to provide another day off, the employee will receive holiday pay. Exempt employees will receive another day off in lieu of holiday pay.

If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation or normal day off), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. Paid time off for holidays will not be counted as hours worked for the purposes of determining whether overtime pay is owed.

### **306 WORKERS' COMPENSATION INSURANCE**

Grand Forks County provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment, as defined by law, that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees that sustain a work-related injury or illness, as defined by law, should inform his or her supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. Your department manager or immediate supervisor will assist you with filling out the necessary paperwork. Every effort must be made to document an incident within 24 hours. This will enable an eligible employee to qualify for coverage as quickly as possible. (Note: Under Worker's Compensation laws, employees who have a blood alcohol test with .04 or higher may have their claim denied.)

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

### **307 SICK LEAVE BENEFITS**

Grand Forks County provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

Regular full-time employees

Regular part-time employees (pro-rated to a percentage of full-time)

Introductory employees

Eligible employees will accrue sick leave benefits at the rate of 96 hours per year (8 hours per month). Eligible employees may use 80 hours per year of their accrued sick leave per each half of a calendar year for an absence due to illness or injury sustained by a family member, defined as a parent, spouse or child. The half year is broken down by the following dates: January 1 through June 30 and July 1 through December 31. No carryover of the preceding 40 hours may occur from the first half of the year to the second half of the year. Social Services employees are limited to a maximum of 40 hours per calendar year for family sick leave purposes. Additional sick leave usage will have to qualify under Family Medical Sick Leave (FMLA). An FMLA event may coincide with Family Sick Leave.

Employees who are unable to report to work due to an illness or injury should notify their supervisor before the scheduled start of their shift if possible. The supervisor should also be contacted for each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, or uses excessive sick leave, a physician's statement may be requested verifying the nature of the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be the basis for payment authorization of sick leave benefits. Before returning to work from sick leave or an event that may create job limitations, an employee may be requested to provide a physician's verification stating he or she may safely return to work or work with temporary limitations documented in the physical profile verified by the physician.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials for overtime purposes. Sick leave does not count towards hours worked. As an additional condition of eligibility for sick leave benefits, an employee must apply for any other available compensation and benefits, such as state disability insurance.

Sick leave benefits will be used to supplement any workers' compensation benefits that an employee is eligible to receive. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal earnings.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

Unused sick leave benefits will be allowed to accumulate an unlimited amount of hours.

Qualified employees who terminate their employment shall be reimbursed for unused sick leave, not to exceed 900 hours, at the rate of 25% of their hourly rate of pay at the time of termination.

In order to qualify for this reimbursement, the employee must be in good standing at the time of submission of intent to terminate employment, and must have at least 5 years of continuous employment with Grand Forks County. "Good standing" means that the employee must not be under suspension or termination action at the time the employee submits the written intent to terminate employment. If excessive or unjustifiable use of sick leave is discovered, it may result in disciplinary action up to and including discharge.

Employees should attempt to schedule regular health care appointments and office visits while during off-duty, but in the event that employees must be absent for such appointments during normal working hours, sick leave may be taken if approved in advance.

### **308 DONATION OF SICK LEAVE**

An eligible county employee may donate sick leave to another county employee who is suffering from a severe illness, injury, impairment or condition that has caused or is likely to cause the employee to take leave without pay or terminate employment. The employee shall obtain a certificate from the health care provider setting forth the nature of the illness, injury, condition or predicament.

The receiving employee must have used all forms of paid leave prior to using donated sick leave.

The employee's use of donated leave, both annual and sick leave, may not exceed 320 hours in any twelve-month period. Once leave is donated, it is not returnable. Leave will be donated on an hour-to-hour basis.

The donating employee may donate up to five percent (5%) of the donating employee's accumulated sick leave, but in all instances, the donating employee must maintain an accumulated balance of forty hours of sick leave.

Approval of donating and receiving sick leave shall be determined by the department manager and the Director of Administration upon recommendation of the employee's supervisor. Donation request forms are available from the Department Manager, the payroll manager or see the Appendix of this manual..

#### **Definitions for Sick Leave Donation:**

"County employee" means a permanent employee with over six months' continuous service with



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

the county. It does not include employees on probationary status or employees on temporary or other limited term appointment.

“Severe” means serious, extreme or life threatening.

### **309 BEREAVEMENT LEAVE**

If an employee wishes to take time off due to the death of an immediate family member, the employee shall notify his or her supervisor immediately. Unpaid time off will be granted to allow the employee to attend the funeral and make any necessary arrangements associated with the death.

Up to three days of paid bereavement leave for a funeral within 300 highway miles and five days of paid bereavement leave for a funeral outside a 300 highway mile radius of the City of Grand Forks, ND may be provided to eligible employees, per incidence, in the following classification(s):

- Regular full-time employees
- Regular part-time employees
- Introductory employees

Bereavement pay is calculated based on the base pay that an employee would otherwise have earned had he or she worked on the day of absence.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the supervisor's approval, use any available paid leave for additional time off as necessary.

The employer defines "immediate family" as the employee's spouse, parent (natural, adoptive, foster, or step-parent), child (natural, adoptive, foster, or step-child), sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

### **310 JURY DUTY**

Grand Forks County encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees in an eligible classification may request paid administrative leave for jury duty. Jury duty pay will be calculated on the employee's base pay rate, minus any jury fee paid by the court. Employee classifications that qualify for paid jury duty leave:

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**Regular full-time employees  
Regular part-time employees  
Introductory employees**

**Employees must show the jury duty summons to their department manager as soon as possible so the department manager may make arrangements to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.**

**Insurance benefits will remain in effect and unchanged for the full term of the jury duty absence.**

**Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during jury duty leave.**

### **311 WITNESS DUTY**

**Grand Forks County encourages employees to appear in court for witness duty whenever summoned to do so. Employees are allowed paid administrative leave to appear in court as a witness.**

**The witness summons should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.**

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **401 TIMEKEEPING**

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Grand Forks County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Nonexempt employees should report to work no more than 7 minutes prior to their scheduled starting time nor stay more than 7 minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

Tampering, altering, or falsifying time records, or recording time on another employee's time record may result in disciplinary action, including discharge.

It is the employee's responsibility to sign their time record to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

### **401.1 TIMEKEEPING PROCEDURES**

Every month an Employee Attendance Record will be turned in to the Department of Finance and Tax. This form serves as the time card for County employees. The form will be turned in by the second workday of the succeeding month, signed and dated by the employee(s) and department manager. (See examples in the Appendix.)

Social Services employees will complete a Time at Work Record and turn in to their department manager on a monthly basis.

Nonexempt employees will annotate hours worked for each day of the month. If a partial or entire day reflects hours other than hours worked (vacation, sick leave, etc.), the department manager will log hours worked and hours other than worked with the applicable code found at

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

the bottom of the page. Based on these annotations, deductions for sick leave, vacation, etc., will be compiled and posted to the employee's pay record. This adjustment will be reflected on the mid-month pay statement. Attendance Records improperly filled out will be returned to the department manager for re-accomplishment.

Exempt and appointed employees will document benefit hours only -- vacation, sick leave etc. Sick leave will be documented in one-hour increments. Vacation hours will be logged for entire workdays. The amount of hours will reflect the scheduled workday -- that is 8, 10, and 12 hours etc.

### **402 PAYDAYS**

All employees are paid twice monthly on or before the 15th and the County's last working day of each month. All employees are required to participate in direct deposit of county paychecks. An employee may designate up to three depositories for direct deposit. Each paycheck will include earnings for all work performed through the end of the current payroll period. Pay statements will reflect accrued vacation and sick leave for the month on the end of month pay statement. Vacation and sick leave used the previous month will be reflected on the 15<sup>th</sup> of the next month's pay statement for county employees and the pay statement at the end of the next month for Social Services employees.

### **403 EMPLOYMENT TERMINATION (revised 3/4/08)**

Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- **RESIGNATION** - employment termination initiated by an employee who chooses to voluntarily leave the County.
- **DISCHARGE** - employment termination initiated by the County.
- **LAYOFF/REDUCTION IN FORCE (RIF)** - involuntary employment termination initiated by the County for non-disciplinary reasons. Please refer to your supervisor and Section 404 of this manual for further information concerning this process.
- **MEDICAL TERMINATION** - employment termination initiated by the employee or by the County when an employee is unable, for health reasons, to continue to work.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

- **RETIREMENT** – an employee who voluntarily initiates retirement from active employment status.

Employees and elected officials who retire, in good standing, after five or more years of service to Grand Forks County, will be presented with a plaque in recognition of and appreciation for services rendered. Grand Forks County shall reimburse up to \$300.00 for the cost of the recognition gathering. When two or more employees and/or elected officials retire, pursuant to the above, the recognition events may be combined with the expenditures not to exceed \$300.00 per retiree.

Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

#### **404 LAYOFF AND REDUCTION IN FORCE (RIF)**

Involuntary discharge/disciplinary procedures are found elsewhere in this manual. This section discusses layoffs or reduction-in-force. (RIF).

If it is necessary to achieve a reduction in force, the Department Manager, with Commission approval, may separate any employee due to lack of funds, curtailment of work, or as a result of reorganization.

The employee(s) affected shall be given at least two weeks written notice of the pending layoff. In the event of an emergency layoff, such as caused by serious fire or natural disaster, affected employees will be given two weeks salary in lieu of notice. A copy of the layoff letter shall be sent to the Board of County Commissioners.

When there are two or more positions in the same job classification within a Department, the order of layoff shall be on the basis of last in - first out for each applicable classification and grade. Before making any layoffs, the County will give careful consideration to employment of the individuals in available vacancies. No layoff will be made of regular full-time employees if temporary part-time workers are employed in the same classification.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

Should layoffs be required, the order of layoff within any given classification shall be as follows:

**Part-time  
Regular Part-time  
Temporary Full-time  
Regular Full-time**

Rehiring of laid off employees shall be in reverse order within the respective job class, with preference in the former Department. In filling vacancies, consideration will be given to length of service and quality of work within the respective job classification, with preference in the former Department.

#### **405 PAY ADVANCES**

Neither pay advances nor extensions of credit on unearned wages will be provided to employees.

#### **406 ADMINISTRATIVE PAY CORRECTIONS**

Grand Forks County takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay the employee should receive, promptly bring the discrepancy to the attention of the Director of Finance and Tax so that corrections can be made as quickly as possible.

Once under payments are identified, they will be corrected in the next regular paycheck.

Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the employee with Commission approval may request to arrange a schedule of repayments in order to minimize any potential inconvenience.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **407 PAY DEDUCTIONS**

The law requires that Grand Forks County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The County also must deduct Social Security and Medicare taxes on each employee's earnings up to a specified limit. The County contributes the amount of taxes as required by law.

The County offers programs and benefits beyond those required by law. Employees who wish to participate in these programs may voluntarily authorize deductions from their checks. If you do not understand why deductions were made or how they were calculated, your supervisor can assist in having your questions answered.

Upon written request of 10 or more employees, the County Commission may authorize payroll deductions for any program or benefit. Should the number of employees participating in any approved deduction program drop below eight, the Director of Finance and Tax may make a recommendation to the County Commission to discontinue the benefit deduction. A list of the deductions normally allowed or taken is available from the Director of Finance and Tax.

Pay set-offs involve pay deductions taken by the County, usually to help pay off a debt or obligation to the employer or others.

The Appendix shows examples of W-4's and samples of all voluntary deduction enrollment documents. Employees are encouraged to review their W-4 every January.

## **408 EMERGENCY OPERATIONS COMPENSATION**

Disasters may occur and require County employees to perform under continuous dangerous situations or for extended normal hours. The County Commission may declare a disaster or implement all or a part of an emergency operations pay compensation plan. The commission must formally approve the implementation of this plan and designate eligible work centers. Provisions of this plan include:

\*Employees may receive up to an additional one-half pay based on their hourly wage. This one-half pay will be paid in addition to time and a half when the employee exceeds 40 hours in a given week.

\*Exempt employees are also eligible. Their pay will be based on their annual salary converted into an hourly wage. One-half hour pay will be paid based on hours worked for the

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

emergency period. When the employee exceeds 40 hours in a given, double time will be paid for the 40 plus hours worked.

\*Elected officials may receive up to \$75.00 per day.

\*All employees may be allowed mileage allowance from their place of residence to the place of work provided the work center has moved to a temporary location. Mileage rates will be based on travel rates per miles at the time of the disaster.

\*All employees who are continuously placed in a dangerous work environment for extended periods of time may be allowed up to a \$500 hazardous duty bonus.

#### **409 TRAVEL EXPENSE POLICY AND PROCEDURE**

Employees who are authorized to travel at county expense, and wish to be reimbursed, are required to submit a detailed record of travel expense on a travel reimbursement voucher. Only one voucher shall be submitted each calendar month and each voucher shall cover only one month's expenses. Reimbursement for travel during December must be submitted for payment prior to the second Commission meeting only for travel outside of Grand Forks City. Mileage to and from work is not reimbursable.

#### **410 IN-STATE TRAVEL REIMBURSEMENT (revised 1/20/09)**

Effective January 1, 2009, employees shall be reimbursed the sum of the IRS rate or the state rate, whichever is greater, for each mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle. (NDCC 54-06-09) Suggested mileage, one way, for in state, is as follows:

<b>Destination</b>	<b>Suggested Mileage (one-way)</b>
<b>Bismarck</b>	<b>280 miles</b>
<b>Dickinson</b>	<b>370 miles</b>
<b>Fargo</b>	<b>80 miles</b>
<b>Jamestown</b>	<b>149 miles</b>
<b>Minot</b>	<b>210 miles</b>



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

Quarter day reimbursement for meals/lodging is as follows, IAW NDCC 44-08-04(2):

<b>Quarter</b>	<b>Time Period</b>
<b>First</b>	<b>6:00 a.m. to 12:00 Noon</b> <b>Payment will not be made if travel begins after 7:00 a.m.</b>
<b>Second</b>	<b>12:00 Noon to 6:00 p.m.*</b>
<b>Third</b>	<b>6:00 p.m. to Midnight*</b>
<b>Fourth</b>	<b>Midnight to 6:00 a.m. *</b>

\* The employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed.

Receipts are not required for the first three quarters and only a lodging receipt is required for the 4th quarter. Receipts are required for miscellaneous items. No receipt is required for taxi or cab fares up to and including \$20.00.

If a meal is included in a registration fee, the applicable quarter allowance cannot be claimed for the meal.

#### **411 OUT OF STATE TRAVEL (revised 1/20/09)**

<b>Quarter</b>	<b>Time Period</b>	<b>Reimbursement</b>
<b>First</b>	<b>6:00 a.m. to 12:00 Noon</b> <b>Payment will not be made if travel begins after 7:00 a.m.</b>	<b>20% per diem meals rate in the city for which claim is made</b>
<b>Second</b>	<b>12:00 Noon to 6:00 p.m.*</b>	<b>30% per diem meals rate in the city for which claim is made</b>
<b>Third</b>	<b>6:00 p.m. to Midnight *</b>	<b>50% per diem meals rate in the city for which claim is made</b>
<b>Fourth</b>	<b>Midnight to 6:00 a.m. *</b>	<b>The allowance for lodging outside the state must be the actual lodging. Receipts are required.</b>

\* The employee must have been in travel status one hour before the start of the quarter being claimed, and travel status must extend at least one hour into the quarter being claimed.

A letter shall accompany any unauthorized excessive reimbursement.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

Reimbursement is based on the Federal rate. The allowance for out-of-state meals within the continental United States is equal to the per diem meals rate in the city for which a claim is made on that day as established by rule for federal employees by the United States General Services Administration and must be allocated twenty percent to the first quarter, thirty percent to the second quarter and fifty percent to the third quarter. If a meal is included in a registration fee, the applicable quarter allowance cannot be claimed for the meal. The web site used for out-of-state travel is <http://www.gsa.gov>.

Authorization for out of state travel must be obtained from the Board of Commissioners prior to the actual date(s) of travel. Emergency approval may be granted by the Chairman of the Board of Commissioners and one other Commissioner. Prior authorization for out of state travel is not required if the employee will accept the instate reimbursement rates and the distance traveled is not more than 150 miles outside the borders of North Dakota.

### **412 TRAVEL ADVANCES**

When the total amount of travel costs exceeds \$50.00, not including lodging and mileage reimbursement, the Department of Finance and Tax may advance up to five days allowed expense (calculated on the amounts allowed for in-state travel). When making lodging reservations, the employee should request direct billing to the County or use a credit card when possible. This will reduce the amount of out-of-pocket expenses. Direct billing allows the motel to exclude taxes from the bill. The Department Manager must approve requests for travel advances, in writing.

### **413 USE OF PERSONAL VEHICLE IN LIEU OF COUNTY PROVIDED TRANSPORTATION (revised 6/17/08)**

Employees are encouraged to use county vehicles, when available, for county business and round-trip travel exceeding 150 miles. Employees who wish to use a personal vehicle when county transportation is available will be reimbursed at the rate of thirty-five and one-half cents per mile. If an employee chooses an alternative method of travel for county travel or plans an extended stay following completion of county business, the employee is responsible for the payment of the difference of any additional costs incurred not authorized by the Department Manager.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **501 SAFETY**

Establishment and maintenance of a safe work environment is the shared responsibility of Grand Forks County and its employees from all levels. The County will attempt to do everything within its control to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all their work activities. They are asked to immediately report any unsafe conditions to their supervisor. Not only supervisors, but also employees at all levels of the County are expected to correct unsafe conditions as promptly as possible. All accidents that result in injury must be reported to the appropriate supervisor, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers' compensation procedures.

## **502 SAFETY PROCEDURES**

### **Building Safety Procedures:**

**FIRE:** The following steps are to be taken when fire or smoke is detected in any County building:

- 1. EVACUATE** all persons from the affected area.
- 2. CALL 911** from a location safe from smoke or fire. Give your name, the building that you are in and the location of the smoke or fire in the building. **DO NOT HANG UP THE PHONE** until the Fire Department has adequate instructions.
- 3. If the fire is controllable, attempt to extinguish it. DO NOT TAKE ANY RISKS** in attempting to put out the fire.
- 4. If the fire is out of control, LEAVE THE BUILDING IMMEDIATELY AND DO NOT RE-ENTER THE BUILDING FOR ANY REASON.**

**EMERGENCY WARNING SIRENS** - Employees are to tune a radio to KNOX (1310 AM) for the nature of the emergency and for instructions as relayed from the warning point or the Sheriff's Office.

**BUILDING EVACUATION** - If instructed to evacuate the building by the warning point in the Police building or the Sheriff's Office for any reason, close the outer office door, but do not lock

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

it and proceed by the shortest, safest route to a predetermined designated safe area.

**BUILDING RE-ENTRY:** Employees may be required to show their county identification card to regain access to their building or department, prior to the building being re-opened to the public.

**THREAT TO COUNTY BUILDINGS -** Employees will immediately evacuate their building upon notification by a supervisor or Department Manager. **EMPLOYEE(S) RECEIVING A THREAT TO A COUNTY BUILDING, OFFICIAL OR EMPLOYEE, SHOULD NOTIFY THE SHERIFF'S DEPARTMENT IMMEDIATELY AND STAND BY FOR INSTRUCTIONS.**

For situations where no policy or procedure exists, call 911 or the Sheriff's Office.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

### **503 RISK MANAGEMENT PROGRAM**

Safety is a primary concern for all of our employees. Department managers are required to provide RISK Management training to all new employees and annually thereafter. Employees who feel that an unsafe condition exists, have a near miss, or injure themselves are required to fill out the necessary RISK forms.

Accidents that may require worker's compensation notification must be reported within 24 hours of the incident. This includes notification to your supervisor and/or department manager who will provide the necessary forms and assist with properly on-line reporting of the incident to the North Dakota Association of Counties. Copies of the incident will be provided to the Director of Finance and Tax and the Director of Administration.

Although some employees prefer to file their on-the-job injuries with their medical insurance company, the injury must be reported to the proper supervisor and the appropriate notice provided to Workforce Safety within 24 hours.

In the event that an employee is injured and permanently or temporarily disabled while in the line of duty, the employee shall be charged sick leave for the first week pro-rated with Workforce Safety so the employee will receive the full week's earnings; therefore the employee shall receive their normal compensation for their classification for a maximum of three years and any benefits that the employee receives from the North Dakota Workforce Safety & Insurance Agency, shall be surrendered to Grand Forks County if concurrently using sick leave or annual leave benefits; except that any permanent partial or permanent total disability awards from Workforce Safety shall be the exclusive property of the employee.

### **504 WORK SCHEDULES**

The workweek for the County shall be defined as beginning at 12:01 a.m. on Sunday and ending at 12:00 midnight the following Saturday. County offices are normally open from 8 a.m. until 5 p.m. each week day, unless an alternate workweek schedule is approved by the Commissioners.

Work schedules for employees vary throughout Grand Forks County. Supervisors will advise employees of their individual work schedules.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

Department managers may offer flex schedules for their employees. Flexible shifts may be allowed as long as the offices are staffed during reduced hours of operation. Naturally if vacations etc. prevent coverage during 8 a.m. to 5 p.m. other employees would adjust their schedule. As an example here are three potential shift schedules that employees may work.

8:00 am - 4:30 pm with a half hour for lunch

8:00 am - 5:00 pm with one hour for lunch

8:30 am - 5:00 pm with a half hour for lunch

### **505 PERSONAL USE OF PHONE, FAX AND MAIL SYSTEMS**

Personal use of telephones and fax machines for long-distance and toll calls is discouraged. Employees should practice discretion in using County telephones when making personal calls and shall be required to reimburse the County for any charges resulting from their personal use of the telephone or fax machine.

The use of County-paid postage for personal correspondence is not permitted.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

### **506 SMOKING**

In keeping with Grand Forks County's intent to provide a safe and healthful work environment, smoking in the work place, on county premises or in county vehicles is prohibited. This policy applies equally to all employees.

### **507 REST AND MEAL PERIODS**

Each workday, full-time nonexempt employees are provided with two 15-minute rest periods one in the morning and one in the afternoon. Supervisors will advise employees of the regular rest period schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their work stations beyond the allotted rest period time.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

All full-time employees are provided with a meal period of not less than 30 minutes each workday, unless a waiver of meals is permitted. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

### **508 OVERTIME**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the appropriate department manager's or Commissioner's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions.

As required by law, overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible discharge.

#### **508.1 OVERTIME PROCEDURES**

1. **Nonexempt employee:** an employee who is not considered to be administrative or professional; is not in administrative policy making, and/or supervisory position; is considered to be regularly compensated to perform work beyond the forty hour work week.
2. **Exempt employee:** These employees are considered to be administrative, professional, or executive and are in an administrative policy-making position. Exempt employees will be considered exempt per the FLSA. It is anticipated that exempt staff will typically work forty plus hours per week. Hours worked in excess of forty hours per week will not be treated as overtime.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

3. **Non-exempt employees**, (except in the Correctional Center and Sheriff's Department )  
The standard work week for full time county employees who are paid for a forty hour work week begins at 12:01 am on Monday morning, or begins at a time described in the description of the work for which the employee is paid. Employees have the option to receive compensatory time or be paid for overtime at the rate of one and one-half times the regular rate when required to work in excess of forty hours per workweek in accordance with standard operating procedures established by the department. If an employee opts for compensatory time, a statement must be on file with the Department of Finance and Tax.
4. **Sheriff's Department and Correctional Center's overtime policy** - Employees are scheduled to work a minimum of 160 hours per 28-day period. Employees will receive overtime pay at the rate of one and one-half the regular rate of pay when hours worked exceed 171 in a 28 day work period. With Department Manager's approval, employees may opt for compensatory time, in lieu of overtime pay, at the rate of one and one-half hours for each hour of overtime worked. Employees must advise in writing their desire to receive compensatory time. This document will be filed in their pay record located in the Department of Finance and Tax. (This policy is effective for the work period of April 15, 2003.)
5. **Other provisions:**
  - a. Employees will receive straight time for each hour worked between 160 through 171.
  - b. Correctional Center and Sheriff's employees may receive compensation for personal hours and vacation hours. Personal days and vacation hours will be paid at straight time when the employee exceeds 160 hours in a 28-day period. Personal days and vacation hours will not count towards overtime.
  - c. Call back – employees will receive a minimum of three hours. Call back hours will count towards overtime.
  - d. Correctional Center and Sheriff's employees will receive double time (up to eight hours) when working on a holiday. They will receive double time for all hours worked on a holiday in excess of 171 in a 28-day period. If any employee is unable to work due to illness, the employee will not be eligible for holiday pay and will not charged for a sick or vacation day.
6. Overtime shall be worked only when in the best interests of the County and at times when peak workload requires work in excess of forty hours per week.



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

7. The department manager shall provide information on overtime paid and provide the names, hours, and pay amount once a month to the Commission, through the Director of Finance and Tax. Whenever possible, anticipated overtime that would exceed budget allocations for overtime must be brought to the Commission for prior approval.

8. Compensatory time hours shall be reported to the Director of Finance and Tax once each month.

## **509 USE OF EQUIPMENT AND VEHICLES**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, to include discharge.

County employees using their own vehicles for County business shall, upon request, provide appropriate proof of insurance coverage to the Department of Finance and Tax.

All violations of traffic laws and fines levied as a result are the exclusive responsibility of the employee.

Equipment, facilities, and vehicles shall not be available for personal use. Use of personal tools shall be at the owner's risk. County vehicles, which are allowed to be kept at the residences of County employees because of the emergency nature of the employee's position with the County, cannot be used for personal purposes other than for commuting to and from work. It is realized that there are circumstances in Grand Forks County whereby County vehicles must be kept at employees' residences.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **510 MOTOR VEHICLE ACCIDENT REVIEW COMMITTEE**

Grand Forks County makes every effort to reduce insurance premiums and address motor vehicle safety concerns. The Commission has appointed an accident review committee. This committee reviews all motor vehicle accidents and makes non-binding recommendations to the County Commission. The Committee consists of one senior official from the Sheriff's Office, Director of Social Services, Correctional Center Administrator, Highway Superintendent and the Director of Administration. The States Attorneys Office will provide assistance for any legal advice. A senior official from the Sheriff's Office will be the chair of the committee. These recommendations will address avenues to prevent future occurrences and may recommend punitive action for violations of safe motor vehicle practices. The Commission is the authority to administer any punitive action(s) against the employee. The Commission has approved the process by which the Accident Review Committee will conduct its investigation.

1. Upon notification of an accident that involves a county vehicle, the chair will call a meeting to review the circumstances surrounding the accident.
2. The chair will notify the employee of the meeting in writing and encourage the employees to submit a statement explaining the circumstances of the incident. The employee will have 10 working days to provide his or her statement to the chair. The committee will review the accident report and statement(s) of the employee. The employee will not be present at the meeting.
3. The committee will review all documents and look for unsafe trends. The committee will provide a non-binding recommendation to the Commission that will address the employee's responsibility for the accident. The recommendation may recommend remedial training, reimbursement by the employee for the deductible portion of the coverage, administrative action to be taken by the County Commission, and/or modification of equipment or changes that may be the cause of the accident.
4. The chair will provide a statement of findings to the Commission and the employee based on a vote by the committee. The representative from the employee's division will not vote.
5. The employee will be given five duty days to request a meeting with the Personnel Committee if the employee disagrees with the committee's findings.
6. The Personnel Committee will make its recommendation to the Commission. The employee has the right to appear before the Commission. The Commission will make the final decision whether or not take administrative action will be taken against the employee.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**601 FAMILY MEDICAL LEAVE ACT (FMLA) (revised 1/28/08)**

This policy is written to ensure that Grand Forks County complies with the 1993 Federal Family Medical Leave Act, as amended by Section 585 of the National Defense Authorization Act for FY 2008, Public Law [110-181], enacted January 28, 2008.

**Introduction**

Family medical leave is a benefit granted to employees who have worked for Grand Forks County for at least 12 months and who have had 1,250 hours of service with Grand Forks County during the previous 12 months. An employee who meets the above eligibility requirement shall be entitled to a total of 12 work weeks of leave during a 12-month rolling period looking backward for one or more of the following reasons:

- For birth or placement of a child for adoption or foster care;
- To care for immediate family member (spouse, child, or parent) with a serious health condition;
  - Servicemember family leave: An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered member of the Armed Forces recovering from a serious illness or injury sustained in the line of duty on active duty shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the servicemember.
- To take medical leave when the employee is unable to work because of a serious health condition.
- Because of any qualifying exigency (as the Secretary of Labor shall determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

It is the policy of Grand Forks County that employees requesting Family Medical Leave (“FML”) will be required to use applicable sick leave and annual leave prior to using leave without pay. The 12-week FMLA standard includes paid leave as well as leave without pay. During the single 12-month period described under “Servicemember Family Leave”, an eligible employee shall be entitled to a combined total of 26 workweeks of Family Medical Leave for all incidents. Nothing in this paragraph shall be construed to limit the availability of leave under

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

any other 12-month period.

Spouses employed by the same employer are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent (but not a parent-in-law) who has a serious health condition, or a combined total of 26 weeks for Servicemember Family Leave and any other family leave.

**Designation of Family Medical Leave**

Employees seeking FML will be required to provide:

1. 30-day advance written notice of the need to take FML when the need is foreseeable;  
or
2. In emergency or unanticipated situations, department heads/supervisors will be responsible for informing employees of the FML options: designation of FML and the development of FML plans as appropriate.

In either case, the rights and obligation form (see Appendix) must be completed.

Additional information that may be required:

Written medical certification statements, supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;

Certification relating to active duty or call to active duty.

Written notice of intention from leave;

A second medical opinion may be required and paid for by the employer;

If there is a conflict between the first and second medical opinions, a third health care provider, mutually agreeable to both parties, shall be considered to be final and shall be binding on the employer and the employee;

Periodic re-certification, as appropriate, from medical providers; and periodic reports, as appropriate, during FML regarding the employee's status and intent to return to work.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**Development of Family Medical Leave Plans**

When all the necessary information is presented, the employer and employee will develop an individualized FML plan. This plan will identify the dates and specific types of leave to be used and a monitoring plan. FML for birth or placement or foster care must conclude within 12 months of birth or placement.

Appropriate leave utilization will depend on the unique situation but must comply with the County policy regarding the specific type of leave. Family medical leave may consist of a combination of different types of leave, such as a combination of sick leave, annual leave and leave of absence without pay.

Under FMLA, a pregnancy-related leave may include different kinds of leave:

1. “Sick leave” may be part of a pregnancy-related leave, which lasts for the period of time (generally six weeks) during which a woman is physically unable to work due to pregnancy, childbirth, recovery and related medical conditions; and
2. The “family leave” part of FML is the time taken off to be home with a new baby, not because of a physical disability. The portion of the FML may include sick leave, annual leave, or leave of absence without pay.

The type of leave to be used should be outlined in the FML plan but may be modified based on the actual situation and needs of the employee.

Under some circumstances, employees may take FML intermittently – which means taking leave in blocks of time or by reducing their normal weekly or daily work schedule. FML may be taken intermittently whenever necessary to care for a seriously ill family member or because the employee is seriously ill or unable to work. FML for birth placement or adoption or foster care, or use of intermittent leave is subject to the employer’s approval.

Under limited circumstances where restoration of employment will cause substantial and grievous economic injury to its operations, the county may refuse to reinstate certain highly paid “key” employees. If FML is used by a “key” employee and the county decides it cannot restore the employee with the initial FML plan, the County will inform the employee in writing of the decision and reasons behind it and will offer the employee a reasonable opportunity to return to work

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**Maintenance of Benefits**

During FML, the county shall maintain group health insurance coverage at the same rate that the employee was receiving at the time of FML leave request. Employees will need to continue to pay the same share of health insurance premiums while on leave and these premiums will be due on the 30<sup>th</sup> day of the month preceding the month of coverage. If an employee fails to return to work from FML, the county may recover premiums paid to maintain health coverage for an employee, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing his or her job or is due to circumstances beyond the employee's control.

An employee has a 30-day grace period for the late premium payments. After that date, if an employee fails to pay premiums, the employer can terminate health coverage. However, once an employee returns to work, their benefits must be restored to at least the same level and terms as when the leave began and the employee can't be required to meet any qualification requirements such as a waiting period.

**Retirement/Life Insurance** - An employee who is on FML without pay status will be required to pay all life insurance and health insurance premiums to Grand Forks County by the first of each month. The employee may choose to be billed directly by NDPERS life. Failure to pay premiums when due will require the employee to reapply for life insurance with medical underwriting.

When an employee is on FML without pay, NDPERS contributions made by Grand Forks County will cease until such time as the employee returns to work. This break in contributions will affect the number of months worked when the employee retires.

An individual plan will be developed for all other voluntary payroll deductions for an employee using FML. This plan will be developed with the payroll representative located in the Department of Finance and Tax.

Employees do not receive paid holidays nor accrue annual leave or sick leave while on uncompensated family leave. There is no loss of tenure while an employee is on FML. Upon returning to work, the employee will be restored to their original job or to an equivalent job with equal pay and benefits. Tenure and rate of leave will be maintained. All information regarding FML will be maintained in the medical records personnel files and will be maintained for three years.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**Definitions**

**“Serious Health Conditions” means an illness, injury, impairment or physical or mental condition that may involve:**

**Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay in a hospital, hospice, or residential medical-care facility);**

**Any period of incapacity requiring absence more than three calendar days from work, school or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or**

**Continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days and for prenatal care.**

**A serious health condition, in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.**

**“Health Care Provider” means:**

**Doctors of medicine or osteopath authorized to practice medicine or surgery by the state in which the doctor practices; or**

**Podiatrist, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulations of the spine to correct a subluxation as demonstrated by ex-ray to exist) authorized practice and performing within the scope of practice, under state law; or**

**Nurse practitioners and nurse-midwives authorized to practice, and performing within the scope of their practice, as defined under state law; or**

**Christian Science practitioners listed with the First Church of Christ Scientist in Boston, Massachusetts.**

**“Key Employee”: an eligible salaried employee who is among the highest paid 10% of all the employees employed by the employer within 75 miles of the employee’s work site.**

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**602 LEAVE OF ABSENCE WITHOUT PAY**

In accordance with the guidelines set forth in this policy, Grand Forks County may provide unpaid leave of absence to eligible employees who wish to take time off from work duties to fulfill personal obligations and who have completed 365 days of consecutive service. The employee classification(s) eligible for personal leave:

**Regular full-time employees  
Regular part-time employees**

A leave of absence without pay may be granted for a period of up to 30 calendar days, per calendar year. Pending the Commissioner's approval, employees must take any available vacation leave prior to the effective date of the leave of absence without pay.

Requests for a leave of absence without pay will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

The County will determine whether or not to provide insurance benefits, at the time of granting any leave of absence without pay. Accruals for benefit calculations, such as vacation, sick leave, or holiday benefits, will be suspended during the leave of absence without pay.

To the extent possible, employees returning from a leave of absence without pay will be returned to their former position or will be offered the first available comparable position for which they are qualified.

If an employee fails to report to work at the expiration of the approved leave period, the employer will assume that the employee has resigned.



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**603 MILITARY LEAVE**

An employee who is either an enlisted person or an officer in the National Guard or Armed Forces Reserve shall be granted military leave annually in accordance with Sections 37-01-25 and 37-01-25.1 of the North Dakota Century Code which provide in substance that employees called to full military duty due to a full or partial mobilization, shall receive military leave with pay up to a maximum of thirty (30) calendar days for those employees who have been employed continuously for a minimum period of ninety (90) calendar days. (Note: Thirty calendar days shall be equivalent to one month's pay.) All other instances of requests for military related leave shall be limited to 20 days per calendar year. Active duty includes "summer camp" for National Guard and Reserves but does not include regular drill sessions.

**604 MATERNITY-RELATED ABSENCES**

Grand Forks County will not discriminate against any employee who requests an excused absence for medical disabilities associated with a pregnancy. Such leave requests will be made and evaluated in accordance with the medical leave policy provisions outlined in this handbook and in accordance with all applicable federal and state laws.

**605 EMPLOYEES WITH LIFE-THREATENING ILLNESSES**

Grand Forks County recognizes that employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, may wish to continue their normal pursuits, including work, to the extent that their condition allows. The decision to continue work will be based on the ability to meet normal performance standards and on the receipt of satisfactory medical evidence that the employees do not present an immediate threat to themselves or others. Evaluation of the potential dangers presented by individuals with life-threatening diseases will occur on a case-by-case basis and will consider existing medical and scientific evidence. It is the intention of the County to comply with the Americans with Disabilities Act by making reasonable accommodation to any employee with a disability, otherwise qualified to perform their job. This includes disabilities arising after employment.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**701 EMPLOYEE CONDUCT AND WORK RULES (revised 4/6/10)**

**Role of Employees:** You are expected each day to remember that, as an employee of Grand Forks County, you serve the public and, specifically, the citizens of Grand Forks County (your real "employers"). Your actions in this capacity reflect favorably or unfavorably upon you, your supervisor(s) and County government as a whole. We expect that you will maintain favorable visibility with the public and that you will act responsibly within the means of your position in meeting the needs of the public and that you will be accountable for your actions in this capacity.

**Your First Day of Employment with Grand Forks County:** To help you get started, your supervisor will provide you with a description of your job and will discuss your duties with you. If you have any questions about your job, don't hesitate to ask your supervisor. Your supervisor is just as concerned about your success on the job as you are and will do everything possible to see that you receive the help you need.

**Orientation and Introduction:** As soon as possible after employment, the employee should go to the Department of Finance and Tax to complete the various fringe benefit program forms, tax table status and any other forms deemed necessary for their employment.

**Dress Code/Appearance:** Appearance and dress should be in keeping with the job being performed, both for safety reasons and to reflect a positive image for the county. Should an employee arrive for work wearing clothing or accessories that, in the opinion of their supervisor, is inappropriate, they may be required, without pay, to go home and change clothes prior to commencing work.

**Inclement Weather:** In the event of hazardous weather, the Sheriff, or designee may delay the opening or close the County Offices from 2 to 4 hours. If closure of the County Offices for the full day is deemed prudent, the Sheriff or designee will contact at least two County Commissioners, one of which shall be the Chairperson or Vice Chairperson (if available) and upon their concurrence, the Sheriff or his designee may close the County offices except for the Sheriff's Office, the County Highway Department, Juvenile Detention, and the Adult Correctional Center

When the Sheriff or his designee makes the decision to close, employees shall not be charged with annual leave nor incur loss of pay. If an employee has permission to leave early or arrive late, and later the decision is made to close the offices or delay the opening of them, the employee shall only charged leave time for the period of time not covered by the decision to close or delay the opening of county offices. This policy applies to all departments -- except the Sheriff's Office, County Highway Department, Juvenile Detention and the Adult Correctional Center.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

Since the Sheriff's Department, County Highway Department, Juvenile Detention, and the Adult Correctional Center may not close during inclement weather, these departments will appoint storm essential and nonessential employees.

Storm essential personnel are expected to meet their work schedule. Essential employees will be charged vacation or personal time if unable to report to work while the County offices are closed due to inclement weather. Essential employees at work during the time of County office closure will be provided one hour of compensation time for every hour the county offices remain closed during normal business hours.

Nonessential storm personnel will be charged leave time for the period of time not covered by the decision to close or delay opening. When the County Offices close, these employees will not incur a loss of pay.

**Notice to the Public:** - When the Sheriff has delayed the opening or closed the County Offices, the following news media will be notified by the Sheriff, if possible prior to 6:00 a.m.:

Radio	Television
KNOX 1310 AM	KVLY – 11
KKXL 1440 FM	KXJB – 4
KFJM 1370 AM	WDAZ – 8
KCNN 1590 AM	
K-LITE 104.3 FM	

**Rules of Conduct** - To assure orderly operations and provide the best possible work environment, the County expects employees to follow rules of conduct that will protect the interests and safety of all employees and their employer. It is not possible to list all the forms of behavior that are considered unacceptable in the work place, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

- ❖ Theft or inappropriate removal or possession of property
- ❖ Falsification of timekeeping records
- ❖ Working under the influence of alcohol or illegal drugs
- ❖ Possession, distribution, sale, transfer, or use of alcoholic or illegal drugs in the

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

workplace, while on duty, or while operating employer-owned vehicles or equipment

- ❖ **Fighting or threatening violence in the work place**
- ❖ **Boisterous or disruptive activity in the work place**
- ❖ **Negligence or improper conduct leading to damage of employer-owned or customer-owned property**
- ❖ **Insubordination or other disrespectful conduct**
- ❖ **Violation of safety or health rules**
- ❖ **Smoking in prohibited areas**
- ❖ **Sexual or other unlawful harassment**
- ❖ **Possession of dangerous or unauthorized materials, such as explosives, weapons or firearms, in the work place**
- ❖ **Excessive absenteeism or any absence without notice**
- ❖ **Unauthorized absence from work center during the duty hours.**
- ❖ **Unauthorized use of telephones, mail system, or other employer-owned equipment.**
- ❖ **Violation of personnel policies.**
- ❖ **Unsatisfactory performance or conduct**

Misconduct can occur either on or off the job. Examples of misconduct on the job are cited above. Examples of misconduct off the job include, but are not limited to involvement in criminal activity or activity involving moral turpitude that, in the judgment of the County, reflects adversely on the image or standing of the County. Employees required to drive as a necessary function of their job, who are convicted, plead guilty or nolo contendere to driving under the influence or reckless driving, on or off the job, are subject to disciplinary action up to and including immediate discharge. Gambling losses, debts, or a reputation for habitual gambling may seriously compromise an employee's image and that of the County and may be considered as a form of moral turpitude. Any and all gambling, sports pools, office pools or other games of chance on County property are strictly prohibited. Any employee found

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

participating in the above may be subject to discipline up to and including discharge. Additionally, the County recognizes that employees may voluntarily admit to having gambling problems that have not resulted in disciplinary action. These employees may be eligible for unpaid time off to participate in a rehabilitation program.

Grievance and disciplinary procedures for employees of Grand Forks County shall be in accordance with the provisions of the North Dakota Century Code.

### **701.1 EMPLOYEE INTERNET USAGE POLICY (May 19, 1998)**

As part of the Grand Forks County's commitment to the utilization of new technologies, many of our employees have access to the Internet. In order to ensure compliance with copyright law, and protect us from being victimized by the threat of viruses or hacking into our servers, the following is effective immediately:

1. It is Grand Forks County's intent to limit Internet access to official business. Employees are authorized to access the Internet for personal use, after regular office hours, in strict compliance with the other terms of this policy. Coffee breaks and lunch hours are part of the business day and personal usage is not allowed. The introduction of viruses, or malicious tampering with any computer system, is expressly prohibited.
2. Employees using Grand Forks County's Internet link are acting as representatives of the County. As such, employees should act accordingly so as not to damage the reputation of the County.
3. Files downloaded from the Internet must be scanned with virus detection software before installation or execution. All appropriate precautions should be taken to detect for a virus and, if necessary, to prevent its spread.
4. The truth or accuracy of information on the Internet and in E-Mail should be considered suspect until confirmed by a separate reliable source.
5. The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet may be at risk of detection by a third-party. Employees must exercise caution and care when transferring such material in any form.
6. Unless otherwise noted, all software on the Internet should be considered copyrighted work. Therefore, employees are prohibited from downloading software and/or modifying any such files without permission from the copyright holder.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

7. Any infringing activity by an employee may be the responsibility of the County. Therefore, the County may choose to hold the employees liable for their actions.

8. The County reserves the right to inspect an employee's computer system for violations of this policy.

9. The County reserves the right to block any Internet site deemed inappropriate.

## **701.2 EMPLOYEE E-MAIL USAGE POLICY**

Grand Forks County's E-Mail system is primarily intended for business use. The e-mail system is County property and may be used for County business. The system is not to be used for employee personal gain or to support or advocate for non-county related business or purposes. All use of the e-mail system is subject to management access pursuant to this policy.

1. Incidental and occasional personal use of e-mail is permitted, but such messages will be treated no differently from other messages. Keep in mind that any personal message can be retrieved by Grand Forks County, even though it has been deleted from that person's in box. It is recommended that you not put anything in an e-mail that you would not want others to see. Assume that the e-mail message you are drafting will be made public, and draft it accordingly.

2. No computer system is completely secure. The e-mail system is not intended to transmit sensitive materials such as personnel decisions, legal opinions, and other similar information that may be more appropriately communicated by written memorandum or personal conversation.

3. Employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other person's e-mail messages without proper authorization in accordance with this policy.

4. This policy applies to all employees, contractors, part-time employees, volunteers, and other individuals who are provided access to Grand Forks County's e-mail system as necessary for their business purpose with Grand Forks County, and only if they abide by all applicable rules.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**5. All messages on Grand Forks County e-mail systems are County property and are subject to the requirements and restrictions of all applicable State and Federal Statutes and Regulations concerning the collection, creation, storage, maintenance, dissemination, and access to date created and/or maintained by Grand Forks County.**

**6. Employees e-mail communications should be routinely and regularly deleted from their in-box.**

**7. Inappropriate e-mail messages can give rise to claims of discrimination, harassment, defamation, and copyright infringement. Under no circumstances shall any employee use the e-mail system for messages that are or could reasonably be considered offensive to another on the basis of race, sex, age, sexual orientation, religious, or political beliefs, national origin, or disability.**

**8. Solicitation of funds, political messages and harassing e-mail are prohibited.**

**9. Use of Grand Forks County's e-mail system for personal business (profit or non-profit organizations of any kind) is prohibited.**

**10. Grand Forks County may access e-mail messages within the County e-mail system of all individuals covered by this policy for any purpose not specifically prohibited by law. If practicable, the employee will be notified in advance of such access. Where advance notice is not practical, the employee will receive notice within a reasonable time thereafter of the date of the access, the purpose of the access, and the identity of the person(s) who accessed the information and the information obtained.**

**11. Upon written request by the Grand Forks County Commission or an employee's Department Manager the contents of e-mail sent by, between and/or to individuals covered by this policy may be disclosed within or outside Grand Forks County without the permission of the individual at any time deemed necessary by Grand Forks County and for any purpose not specifically prohibited by law.**

**12. Social Services employees use the State Lotus Notes e-mail system. They are therefore also bound by the North Dakota Department of Human Services e-mail policy as set forth in Chapters 319-01-09 and 319-01-11.**

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**701.3 GRAND FORKS COUNTY POLICY FOR PURCHASING PERSONAL  
COMPUTER SOFTWARE (7/10/01)**

A department manager must coordinate with the Information Systems Director concerning their need for additional computer software. Software will not be loaded or purchased for County computers without the approval of the Information Systems Director.

**Guidelines for loading or purchasing software for County computers**

- Software must be compatible with other software used in the County.
- Purchasing software that duplicates functions will not be approved.
- Software must be properly licensed.
- Confirm which budget will purchase the software.

The commissioner assigned to information systems must be contacted for approval of the purchase and to decide if the purchase should go before the whole commission for purchase approval.

**701.4 LAP-TOP COMPUTERS FOR ISSUE TO KEY PERSONNEL**

Commissioners and key staff are issued laptop computers for use in the office, at home, and out of town travel. Although these laptop computers are the property of the County, key employees may use this laptop computer for personal use if all the following conditions are met.

- a. The use does not interfere with the performance of the employee's public duties.
- b. The use does not create the appearance of impropriety.
- c. The use is not for a partisan political purpose.
- d. The use is not for personal commercial purposes.
- e. The employee agrees to a \$10.00 monthly withholding fee from their wages.



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **702 DRUG AND ALCOHOL USE**

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the work place. No employee may be under the influence of any illicit drug or alcohol while in the work place, while on duty, or while operating a vehicle or equipment owned or leased by Grand Forks County.

Possessing, distributing, transferring, purchasing, selling, using, or being under the influence of alcoholic beverages or illegal drugs while on the County's property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by the County may also lead to disciplinary action, including suspension without pay or discharge.

### **702.1 DRUG-FREE WORKPLACE COMPLIANCE POLICY**

Illegal drugs in the workplace are a danger to us all. They impair safety and health, promote crime, lower productivity and quality, and undermine public confidence in the work we do. We will not tolerate the illegal use of drugs here and now, by law, we cannot. Under the federal Drug-Free Workplace Act, in order for the County to be considered a "responsible source" for the award of federal contracts, we have developed the following policy:

Effective immediately, any location at which the County's business is conducted, whether at this or any other work-site, is declared to be a drug-free workplace. This means:

*All employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace.*

The following is a partial list of controlled substances. Personnel can provide a complete listing and explanation of controlled substances.

- Narcotics (heroin, morphine, etc.)
- Cannabis (marijuana, hashish)
- Stimulants (cocaine, diet pills, etc.)
- Depressants (tranquilizers)
- Hallucinogens (PCP, LSD, "designer drugs," etc.)

Any employee violating the above policy is subject to discipline, up to and including termination, for the first offense. Employees have the right to know the dangers of drug

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

abuse in the workplace, the County's policy about them, and what help is available to combat drug problems. This document spells out the County's policy. As part of our RISK management program, we do conduct periodic training sessions on the effects of drugs in the work place. To assist employees in overcoming drug abuse problems, the County may offer the following help:

- 1. Medical benefits for substance-abuse treatment**
- 2. Information about community resources for assessment and treatment**
- 3. Counseling program**
- 4. Employee assistance program**

Any employee convicted of violating a criminal drug statute in this workplace must inform the County of such conviction (including pleas of guilty and nolo contendere) within five days of the conviction occurring. Failure to so inform the County subjects the employee to disciplinary action, up to and including termination. By law, the County will notify the federal contracting officer within 10 days of receiving such notice from an employee or otherwise receiving notice of such a conviction.

The County reserves the right to offer employees convicted of violating a criminal drug statute in the workplace participation in an approved rehabilitation or drug abuse assistance program as an alternative to discipline. If such a program is offered, and accepted by the employee, then the employee must satisfactorily participate in the program as a condition of continued employment.

### **702.2 DRUG TESTING POLICY**

(This policy applies to all of our employees and parallels DOT/FHWA and FTA regulations and guidelines.) Illegal drugs and alcohol in the workplace and on the road are a danger to those who use them, to those who work around users, and to our clients and the public in general. They impair safety and health, promote crime, lower productivity and quality and undermine public confidence in our service. Grand Forks County will not tolerate the use of illegal drugs by any employee.

We feel, in general agreement with the Department of Transportation, that drug and alcohol testing and sanctions for use will help discourage substance use and reduce absenteeism, accidents, health care costs, and other drug-related problems. It will act as a deterrent to those individuals who might be tempted to try drugs for the first time or who currently use drugs and alcohol. Finally, drug and alcohol testing will protect the health and safety of the employees, through the early identification and referral for treatment of workers with drug use and alcohol problems.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

**Grand Forks County has developed, in agreement with regulations issued by the Department of Transportation and the Federal Highway Administration, Federal Transit Administration under authority of Congress via the Omnibus Transportation Employees Testing Act, the following policy for our employees:**

**Effective immediately, no safety sensitive employee either an employee or a contract driver with Grand Forks County shall be on duty if the employee uses, or tests positive for, any controlled substance, including alcohol. Any employee testing positive for alcohol at a level of .02% but below .04%, will be considered medically unfit to work, will be suspended without pay, until such time as they perform a return to duty test and test below .02% and for a period of not less than twenty-four (24) hours (FTA requirements are for eight hours minimum). Any employee testing positive for the specific agents described below or alcohol at a level of .04% or above, will be considered to have failed the test and be medically unfit to work. A person who refuses to submit to testing shall not be permitted to work since such a refusal shall be considered to be a positive test. Regardless of the actual or potential alcohol test results, it is a requirement of the DOT that no safety sensitive employee consume alcohol with four (4) hours of reporting for duty.**

**Safety sensitive employees will be asked to undergo testing for alcohol and on five groups of drugs: Amphetamines, Opiates, Phencyclidine, Cocaine, and Marijuana. These are the drug groups specifically targeted by the FTA and DOT/Federal Highway Administration for testing purposes. The County will pay the costs of the pre-employment drug testing, and post accident reasonable cause and random drug and alcohol tests. Employees of Grand Forks County will pay the costs of all other drug and alcohol tests within each twelve-month calendar period. Additionally any employee of the County whose employment is terminated, for any reason, prior to the completion of their first ninety calendar days of employment, shall be responsible for reimbursing the County all for costs associated with that employee's drug and/or alcohol testing incurred by Grand Forks County to that point.**

### **Implementation Schedule**

**Testing will occur at various periods of time. All candidates for hiring may be required to participate in drug testing as a pre-qualification test prior to employment. No candidate for hiring with a positive drug test will be employed. A qualified supervisor can institute a drug or alcohol test on the grounds of reasonable cause or suspicion of drug or alcohol usage. A random testing program will also be utilized: 50% of the employees are tested randomly per year for drugs and 25% of the employees are tested randomly for alcohol per year. Following a reportable accident while on the job, the employee may be asked to undergo testing.**

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

### **Access to Testing Results and Confidentiality**

The testing procedure will be carried out so as to protect individual privacy, ensure accountability and integrity of the specimens, confirm any positive screening test, regulate the testing laboratory, protect confidentiality, and be non-discriminatory to the individual. A person testing positive will be informed of the results of the test and the alcohol or drug found positive. All other drug reporting will be conducted as per the Medical Review Officer, M.R.O., who is responsible for their interpretation and retention.

### **Results of a Positive Test**

Following the first positive test, Grand Forks County reserves the right to immediately terminate the employment of that employee. If the driver is an Owner/Operator or Independent Contract Driver, the County may immediately disqualify them from any further driving for Grand Forks County or terminate the contractual relationship with the Independent Contractor supplying the driver or Owner/Operator. Under the provisions of the Omnibus Transportation Employees Testing Act, employees thus terminated are still obligated to undergo an evaluation by a Substance Abuse Professional (SAP) and must successfully complete the treatment program prescribed by that SAP. Additionally they must successfully pass a return to duty drug/alcohol test and participate in a follow-up unannounced screening program no less often than six (6) tests in a twelve (12) month period.

Grand Forks County assumes no responsibility financially or otherwise for the terminated employee's compliance with the above and offers no guarantee of re-employment or rehire regardless of the terminated employees actions pertaining to the above follow-up.

### **Employee Assistance Program**

The Employee Assistance Program will contain a controlled substance educational and training program for employees and also for supervisors. A written statement will be on file at the principal place of business of the County that outlines the employee assistance program. The training program will include a discussion of the effects and consequences of alcohol controlled substances on personal health, safety, and the work environment, the manifestations and behavioral effects that may indicate controlled substance use or abuse, documentation of the training given employees and supervisory personnel, and documentation that the above personnel received at least 60 minutes of training. The above is to be construed as the minimum form of Employee Assistance Program that the County can add to at its discretion. Supervisors must receive sixty (60) minutes of alcohol awareness training and sixty (60) minutes of drug awareness training.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**Definitions**

**Controlled Substance** is any substance listed on Schedules I to V as periodically amended by the Federal government and alcohol.

**Medical Review Officer (MRO)** means a licensed doctor of medicine or osteopathy with the knowledge of drug abuse disorders that is employed or used by a motor carrier to conduct drug testing.

**Relationship to Federal Regulations and Laws**

This policy will be enforced and applied under the authority of the relevant laws of the United States and the State of North Dakota and any relevant regulations issued by the agencies of the Federal Government.

Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for unpaid time off to participate in a rehabilitation program. Such a leave will be granted if the employee abstains from use of the problem substance while on leave, abides by all the County's policies, rules, and prohibitions relating to conduct in the work place, and if the County suffers no "undue hardship" as a consequence of granting the leave.

**ALL EMPLOYEES ARE ASKED TO ACKNOWLEDGE THAT THEY HAVE READ THE ABOVE POLICY AND AGREE TO ABIDE BY IT IN ALL RESPECTS. BY LAW, THIS ACKNOWLEDGMENT AND AGREEMENT ARE REQUIRED OF YOU AS A CONDITION OF CONTINUED EMPLOYMENT.**

The County recognizes that employees may wish to seek professional assistance in overcoming drug or alcohol problems. Please contact your supervisor for more information about the benefits potentially available under the employee medical benefit plans and any possible referral sources.

Physician-prescribed medications are permitted, provided they do not adversely affect job performance or the safety of the employee or other individuals in the work place.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **703 SEXUAL AND OTHER FORMS OF IMPERMISSIBLE HARASSMENT**

Grand Forks County is committed to providing a work environment that is free of discrimination. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion or any other legally-protected characteristic will not be tolerated.

Sexual harassment is the unwarranted and unwanted action of an individual against another individual involving sexual overtones. The County will not tolerate verbal or physical conduct by an employee who harasses, disrupts or interferes with another's work performance or who creates an intimidating, offensive or hostile work environment. The County is opposed to sexual harassment in the work place and such harassment is against the law.

Sexually harassing conduct in the work place or elsewhere, whether committed by supervisory or non-supervisory personnel is prohibited. Such conduct may include, but is not limited to:

- 1) Sexual flirtations, touching, advances, etc.
- 2) Verbal abuse of a sexual nature.
- 3) Graphic or suggestive comments about an individual's clothing or body.
- 4) Sexually degrading words to describe an individual.
- 5) The display in the work place of sexually suggestive objects or pictures, including nude photographs.

It is important to note that sexually harassing conduct also includes:

- 1) Explicitly or implicitly making submission to the conduct a term or condition of an individual's employment.
- 2) Using submission or rejection of the conduct as a basis for employment decisions.
- 3) The conduct substantially interferes with the individual's work performance or creates an intimidating, hostile or offensive work environment.

Any employee who believes that the actions or words of any employee or fellow employee constitute unwelcome harassment, has a responsibility to report this behavior, preferably in writing, as soon as possible to the Director of Administration, County Commissioners or States Attorney.

All complaints of harassment will be investigated promptly in a confidential manner. In all cases, the employee will be advised of the investigation's conclusions.

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

**Any employee who is found, after appropriate investigation, to have engaged in harassment of another employee, will be subject to appropriate disciplinary action and may be subject to immediate discharge.**

### **704 ATTENDANCE AND PUNCTUALITY**

**To maintain a safe and productive work environment, Grand Forks County expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the County. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify the supervisor as soon as possible in advance of the anticipated tardiness or absence. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, including termination of employment.**

### **705 EMPLOYEE IDENTIFICATION CARDS**

**All Grand Forks County employees and other personnel employed by the City of Grand Forks or the State of North Dakota working in a Grand Forks County facility will be issued an employee identification card from the Sheriff. The employee identification card will remain the property of Grand Forks County and will be provided by the county at no cost to the employee.**

**The employee identification card will contain the following information: the employee's picture, first and last name, employee number as provided by the employer, and the employee's organization. The card may also be bar coded and contain magnetic stripping.**

**The card will be carried on the employee at all times when in a Grand Forks County facility. The card will be displayed by employees upon demand by Sheriff's Deputies or other law enforcement personnel during emergency situations including the re-staffing of facilities. In an ongoing emergency, the Sheriff or the Chair of the Grand Forks County Commission or designee may require that all employees' display their employee identification cards at all times while in a Grand Forks County facility until that specific situation has subsided. Notification to display employee identification cards at all times will be made to all department heads and personnel upon the policy's implementation and termination, by the Sheriff.**

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

Two different types of employee identification cards will be issued to employees. The first type of card will be a courthouse employee identification card, which will be issued to each employee that either works in the Grand Forks County Courthouse, a secured facility, or who is a city, county, or state employee whose job description requires that they do business in the courthouse on a regular basis. All employees must display their courthouse employee identification card to the Courthouse Security Deputy to gain admittance. Courthouse employee identification cards may only be used to gain entrance to the courthouse while performing official work related business. If an employee uses the card to gain entry for personal business or otherwise creates a security risk, the card will be confiscated. A general employee identification card may be issued to the employee and the employee will not be allowed to bypass any security measures in place.

The second type of card, the general employee identification card, will be issued to all other employees to whom the above is not applicable. The general employee identification card will not allow the holder to bypass security measures in place at the courthouse.

Any lost/stolen identification cards must be reported to the Sheriff's Department immediately. Replacement cards will be provided at a cost of \$5.00 payable by the employee. The replacement fee may be waived by the Sheriff if appropriate. All city, county, and state department heads will be responsible for entering the card on the personal property issued inventory of the employee; collecting cards of personnel upon their termination and returning them to the Sheriff's Department. The Sheriff's Department will be responsible for maintaining an inventory of all identification cards issued to personnel.

### **706 RETURN OF PROPERTY**

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Upon the request of the supervisor or department manager the employee must return all property, to include his or her County Identification Card. Employees are required to return all County Property in their possession prior to the issuance of their final paycheck.



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **707 RESIGNATION**

Resignation is a voluntary act initiated by the employee to terminate employment with Grand Forks County. Resignations must be directed to the appropriate Department manager, in writing as far in advance as possible, but with a minimum of two weeks' notice. The department manager will respond with a written and dated acceptance or rejection of the resignation. This response is to be delivered to the employee as soon as possible, but not later than eight working hours following the receipt of the written resignation.

If the resignation is accepted, the department manager should promptly notify the payroll clerk and the Director of Administration of the resignation. The full Commission shall be notified at the next regular Commission meeting.

It shall be the responsibility of the department manager to work with the payroll clerk to determine the number of hours of accrued vacation and portion of sick leave, if applicable, to be paid in addition to final pay for time worked.

## **708 GRAND FORKS COUNTY CREDIT CARD POLICY & PROCEDURES (Effective 4/20/10)**

### **Authority**

The Grand Forks County Commission will approve the issuance and credit card limit of all Grand Forks County credit cards. The Finance and Tax Office is designated to be responsible for Grand Forks County credit card accounting, monitoring, retrieval, and for general oversight of compliance with this Credit Card Use Policy.

### **Responsibility**

Only those who are authorized and who have signed the Credit Card User Agreement may use Grand Forks County credit cards. Credit cards will be kept in the Finance and Tax Office and will be checked out and returned by the user. Credit cards shall only be used to purchase goods or services for the official business of Grand Forks County.

All authorized users of Grand Forks County credit cards shall submit documentation detailing the purchased goods or services, the cost of the goods or services, the date of the purchase and the official business for which it was purchased.

Authorized employees using a credit card are responsible for its protection and custody and shall immediately notify Grand Forks County if the credit card is lost or stolen.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**Internal Accounting Controls**

A current list of all credit cards, authorized users, and credit limits shall be kept on file in the Finance and Tax Office. The Department Head for the Department wherein the credit card purchase was made shall review and approve all invoices received for payment prior to the submission to Finance and Tax Office for approval for payment.

Any employee or elected official of Grand Forks County who violates the provisions of this policy shall be subject to dismissal and appropriate criminal and/or civil action.

Requirements for use of credit card:

1. The credit card is to be used only to make purchases for the legitimate business of Grand Forks County.
2. The credit card must be used in accordance with the provisions of the Credit Card Policy and Procedures established by Grand Forks County.

Violation of these requirements will result in disciplinary measures up to and including dismissal, appropriate criminal and/or civil action.

**709 GRAND FORKS COUNTY FRAUD PREVENTION &  
INVESTIGATION POLICY (Effective 4/20/10)**

This Grand Forks County-wide fraud policy is established to facilitate the development of controls which will aid in the detection and prevention of fraud against Grand Forks County.

This policy applies to any fraud, or suspected fraud, involving employees, elected and appointed officials, as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with Grand Forks County. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to Grand Forks County.

All employees and elected officials of Grand Forks County are responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported immediately to the Grand Forks County

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

**Director of Administration, who coordinates all investigations with the legal counsel and other affected areas, both internal and external. If suspected fraudulent activity involves the Grand Forks County Director of Administration, the report must be brought to the attention of the chairperson of Grand Forks County Board of Commissioners. The Finance and Tax Director and/or Chair of the Commission Board, with the legal counsel, shall lead the Investigation Unit until the matter is resolved.**

### **ACTIONS CONSTITUTING FRAUD**

**The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:**

- **Any dishonest or fraudulent act**
- **Forgery or alteration of any document or account belonging to Grand Forks County**
- **Forgery or alteration of a check, bank draft, or any other financial document**
- **Misappropriation of funds, securities, supplies, or other assets**
- **Impropriety in the handling or reporting of money or financial transactions**
- **Disclosing confidential and proprietary information to outside parties**
- **Accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to Grand Forks County. Exception: Gifts less than \$50 in value.**
- **Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment**
- **Any similar or related inappropriate conduct**

### **OTHER INAPPROPRIATE CONDUCT**

**Any other suspected improprieties concerning an employee's or official's moral, ethical, or behavioral conduct, should be brought to the attention of the Grand Forks County Director of Administration. If there is any question as to whether an action constitutes fraud, contact your supervisor or the Director of Administration for guidance.**

### **REPORTING PROCEDURES**

**Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will contact the Grand Forks County Director of Administration immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the Grand Forks County Director of Administration or Grand Forks County**

## **GRAND FORKS COUNTY EMPLOYEE POLICY MANUAL**

State's Attorney. No information concerning the status of an investigation will be given out. The proper response to any inquiries is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference

### **CONFIDENTIALITY**

The Director of Administration treats all information received *confidentially* to the extent possible within the constraints of the law. Any employee who suspects dishonest or fraudulent activity will notify the Director of Administration immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see REPORTING PROCEDURE section above). Investigation results *will not be disclosed or discussed* with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect Grand Forks County from potential civil liability.

### **INVESTIGATION RESPONSIBILITIES**

The Director of Administration, with the assistance of the Grand Forks County State's Attorney as appropriate, has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Director of Administration will issue reports to appropriate designated personnel and, if appropriate, to the Grand Forks County Board of Commissioners. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

### **710 SOLICITATION FOR SIGNATURES ON COUNTY PROPERTY** (Effective 4/20/10)

Grand Forks County prohibits the solicitation of signature for nomination or any other petition on County property.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**800 DISCIPLINARY ACTIONS FOR NON-DEPARTMENT MANAGERS**

**Discharge** - The County shall not discharge or suspend any employee without just cause, and shall give at least one warning notice in writing of the complaint against such employee to the employee, with a copy of the notice to be given to the Grand Forks County Employee Association, except that no warning notice need be given to an employee before they are discharged if the cause of discharge is dishonesty, failure to obey reasonable rules, consuming or reporting to work under the influence of alcoholic beverages or non-medical drugs while on duty. The County shall send to the Grand Forks County Employee Association a copy of the discharge notice, which shall contain the reason for discharge, within five days after the discharge of an employee.

If the employee feels they have been unjustly discharged, the Grand Forks County Employee Association may protest the discharge by filing a written notice within five working days of the receipt of the discharge notice, and the matter shall be referred to settlement between the County and the Grand Forks Employee Association using the procedure outlined below.

**801 PRE-DETERMINATION PROCESS FOR NON-DEPARTMENT MANAGERS**

Any regular Grand Forks County Employee (as compared to temporary, seasonal or appointed) who is subject to suspension without pay, demotion, or termination of employment shall:

1. Be issued a letter, from their department manager, expressing the intent to suspend, demote, or terminate. This letter is to contain:
  - a. A statement of the intended action and the reason(s)
  - b. A listing of the evidence that support the reasons for the intended action
  - c. Notice that a pre-determination panel will review the intended action and the reasons. The date this review will take place, and the employee's right to submit a written statement for review by the panel.
  - d. The date the decision will be made concerning the proposed action.
2. Verbally be informed of the decision as soon as possible following the pre-

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

determination panel hearing, but no later than three working days following the hearing.

3. If the decision is to suspend, without pay, demote, or terminate employment, the employee shall be informed of his or her right to appeal to the Personnel Committee of the Grand Forks County Commission.

## **802 PRE-DETERMINATION HEARING**

1. The department manager shall notify the Director of Administration of the pending action (termination, demotion, or suspension without pay) no later than the date of delivery of notice to the employee.

The employee may waive his or her right to a pre-determination hearing and accept the proposed punishment. Acceptance must be in writing, with a copy sent to the Board of Commissioners.

2. The Director of Administration shall arrange for a "Hearing Panel" and set the date and time for examination of the facts leading up to the pending decision. The panel shall consist of one department manager, a representative of the Grand Forks County Employees Association, and the Grand Forks County States Attorney, or member of their staff.

3. The Department Manager considering the action shall prepare and submit (to the Director of Administration) all pertinent documentation relative to the pending action. This shall include the written statement from the employee, if any has been submitted.

4. The "hearing panel" shall meet and examine the written material provided by the Department Manager and the employee. Based upon this information, the "panel" shall make a recommendation to the Department Manager as to the action that shall be taken, if any. The "panel" may agree with the proposed action of the Department Manager. The "panel" may recommend alternative action, or no action. The recommendation of the "panel" is not binding upon the department manager. They are accountable for their decisions, while the decisions of the "panel" are recommendations.

5. The Director of Administration shall inform the Department Manager of the recommendation(s) of the "panel" as soon as possible following the hearing. This shall be followed by a written confirmation to the Department Manager, with a copy to the employee. This is done in order to allow the Department Manager as much time as possible to make their final decision and inform the employee.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

6. It is preferred that notices to the employee be “hand” delivered whenever possible. Most of the notices required under this policy have specific deadlines for response or appeal by the employee. Mailing the notice to the employee may extend their time for response or appeal by delaying the actual date of receipt. If the notice is personally handed to the employee, there is no question as to the date of receipt. This date and time should be noted on the Department copy of the notice and made a part of the employee’s personnel file.

### **803 DISCIPLINARY ACTIONS FOR DEPARTMENT MANAGERS**

For departmental managers, all disciplinary actions to include Letters of Counseling or higher will be initiated by the Personnel Committee. The Personnel Committee consists of the Chair and Vice Chair of the County Commission.

The Personnel Committee will investigate any matters of concern and meet with the department manager to determine if disciplinary action is warranted. The department manager will be allowed to appear before the Personnel Committee and submit any documents or information pertinent to the violation of County Policy or standards.

The Personnel Committee will administer the appropriate level of punishment to include up to termination. Notification of the punishment and reasons supporting the level of punishment will be in writing to the employee.

If the department manager disagrees with the punishment, an appeal to the full commission may be requested in writing to the Director of Administration. This appeal must be within 14 calendar days from the administration of punishment. The Director of Administration will arrange for the appeal to be on the agenda at the first Commissioner’s meeting following the 14-day period. Note: If the recommendation is suspension without pay or termination, the department manager will be on paid administrative leave until that commission meeting. If the employee seeks a delay, any additional time will revert to unpaid leave.

The Commission will serve as the appeal authority. The employee may appear before the Commission with any pertinent information that may influence the decision. The Commission’s decision will be final.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

**804 GRIEVANCE PROCEDURES**

**1. A “grievance” is defined as a dispute or disagreement as to the interpretation or application of the terms and conditions of Grand Forks County’s Personnel Policies.**

**2. Definitions**

**a. “Days” mean calendar days excluding Saturdays, Sundays, and legal holidays.**

**b. “Service” means personal service or by certified mail**

**c. “Reduced to writing” means a concise statement outlining the nature of the grievance, the provisions of the policies in dispute, and the relief requested**

**d. “Answer” means a concise response outlining the Commission’s position on the grievance.**

**3. All disputes or grievances shall be handled in the following manner:**

**A. Step I. Whenever any employee has a grievance, they shall meet with their department manager in an attempt to resolve the grievance within five days after the grievance occurred. If the grievance is not resolved within five days of the first informal meeting, the grievance shall be reduced to writing by the grievant or by the Grand Forks County Employees Association representative with the grievant’s consent and served upon the department manager and the commission. Service must be made within five days of the last informal meeting.**

**B. Step II. The Commission’s representative shall meet with the grievant and /or the Employees Association’s representative within ten days after receipt of the written grievance. The parties shall endeavor to mutually resolve the grievance. If a resolution of the grievance results, the terms of that resolution shall be written on or attached with the grievance and shall be signed by all parties. If no agreement is reached within fifteen days of the Step II meeting, either party may request mediation by serving a written notice on the other party of his or her intention to proceed with mediation.**

**C. Step III. The Commission’s representative and Employees Association’s representative shall select a mutually acceptable third person to comprise a mediation board. The mediation board is created by a public employer or the employing head of a board or**



**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

commission, by vote of such group whenever a grievance or matter in dispute considered between the employer and the employee cannot be settled amicably and without disruption of the public service. It is the duty of the employer or the employees or both to request in writing to the chief executive officer for the unit of government, namely the chairman of the county board or commission, that it is the wish of one or both parties concerned in such dispute or grievance for designation by such officer of two members of a mediation board, one to be recognized as a representative of the employer in the public service and one to be a bona fide employee who is a member of the association, or group of employees and who is interested in the point of view of such group of employees. The two persons so designated shall upon their appointment forthwith meet and agree upon a third person who will serve as chairman of the mediation board.

The duties of the mediation board will be to hold public hearings to consider the matter in dispute or the grievance at any place within the jurisdiction of the county. This board has the authority to subpoena witnesses, to compel their attendance, to administer oaths, to take testimony and to receive evidence. It possesses the authority to discuss informally the matter of dispute or the grievance in the presence of both the employer, the employee or their representatives. Following the conclusion of such public hearings or such public considerations of the problem involved, such board shall, within thirty days, make a determination of the issues involved in such dispute or grievance. The board will prepare recommendations thereon in writing and submit a signed copy to the chairman of the county board or commission, and a signed copy to the employer and to the representative of the employees with the exception that the recommendations of the mediation board will be final and binding with the exception of wages.

4. If a grievance is not presented within the time limits set forth above, it shall be considered waived. If a grievance is not appealed to the next step within the specified time limit or any agreed extension thereof, it shall be considered settled on the basis of the Commission's last answer. If the Department Manager or Commission does not answer a grievance or an appeal thereof within the specified time limit, the Employees Association may elect to treat the grievance as denied at that step and immediately appeal to the next step. The time limit in each step may be extended by mutual written agreement of the parties in each step.

**GRAND FORKS COUNTY  
EMPLOYEE POLICY MANUAL**

## **804.1 MERIT SYSTEM EMPLOYEE GRIEVANCE PROCEDURES**

Pursuant to NDCC 54-41-3.12, permanent Social Service employees classified under the state merit system may grieve an employer action of demotion, dismissal, suspension without pay, forced relocation, reduction-in-force, reprisal, or discrimination in employment because of race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with respect to marriage or public assistance, participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer, or political opinions or affiliations. In addition, employees may grieve issues pertaining to their working conditions. Employees are encouraged to resolve differences pertaining to working conditions with the department supervisor.

Employees shall follow the county grievance procedure as set forth in Section 804. An employee wishing to reduce a grievance to writing as outlined in Section 804, paragraph 3, Step I, may use the Social Service Employee Grievance Form contained in the Appendix but shall also serve the same upon the County Director of Social Services and the Social Services Board representative.

If a grievance cannot be handled to the employee's satisfaction after going through the steps outlined in this county personnel manual, the employee may file a grievance with the ND Department of Human Services or North Dakota Human Resource Management Services. The complete procedures are outlined in NDAC 4-07-20, NDAC 4-7-20.1, NDAC 4-07-20.0 and NDAC 4-07-21 and can be accessed through the State of North Dakota Human Resource Management Services website at [www.nd.gov/hrms/hr/lawguide/grievances.htm](http://www.nd.gov/hrms/hr/lawguide/grievances.htm).